J. Payne Collier

CF

THE NEVVE BOKE OF IVSTICES OF

peace made by Anthonie Fitz Herbard iudge, lately translated out of Frēch into Englishe and newlye corrected. The yere of our Lorde.

1554.

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¶ *Cum priuilegio ad imprimendum solum.*

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The forme of the kinges commission, dyrected to the Justyces of peace, by the whiche they are aucthorised.

HEnricus Octauus dei gratia Anglie Francie et Hibernie Rex, fidei defensor, & in terra Anglicane Ecclesie & Hibernice supremū caput, predilectis & fidelibus suis B.C.F.G.&c. Salutem. Sciatis quod assignauimus vos coniunctim & diuisim ad pacem nostrā ac ad statuta ac ordinationes apud Winton, Northamptō, & Westmonasterij pro conseruatione pacis eiusdē. Nec non ad statuta et ordinationes ibidē, & apud Cantebrigiā de venatoribus, operariis, artificibus, seruitoribus, hostellariis, mēdicātibus, & vagabūdis, & aliis hominibus mendicātibus qui se nomināt (tranalling mē) & scilicet ad statuta & ordinationes apud Westmonasterij anno regni Hērici quarti, nuper Regis Anglie defuncti, primo & secōdo de liberatis signorū societatis militibus, armigeris seu valectis, & aliis liberatis pannorum minime dādis, nec eisdem liberatis aliqualiter trēdis. Ac ad quoddā statutū cōtra Lollardos in parliamēto Henrici quinti, nuper Regis Anglie defuncti apud Leicestr nuper tentū, editū. Nec non ad quoddam aliud statutum in parliamento eiusdem Regis apud Westmonasterij, de contra factura, fonsura, lotura, et alia falsitura monete terre nostre tento, scilicet editum,

iuxta vim, formam, & effectum eorundem custo-
diendorum, et custodiri faciendorum. Ac ad ola
alia ordinationes, & statuta, p bono pacis nr
ac quieto regimine, & gubernatione populi no-
stri edita in omnibus et singulis suis articulis
in Comitatu nostro. S. tam infra libertates, q
extra (p quos rei veritas melius scire poterit)
iuxta vim formã & effectum eorundẽ, custodiẽ-
da & custodirã faciẽda. Et ad omnes illos (quos
contra formã ordinationum, & statutorum pre-
dictorum delinquentes inueneritis) castigãdos
& puniendos, prout secundum formam ordina-
tionum & statutorii pdictorũ fuerit faciendum.
Et ad omnes illos qui aliquibus de populo no-
stro, de corporibus suis, vel de incendio domo-
rum suarũ, minas fecerint, ad sufficiẽtem secu-
ritatem de pace & bono gestu suo erga nos & p
pulum nostrũ inuenienda coram vobis venire
Et si huiusmodi securitatem inuenire recusa-
uerit, tunc eos in prisonis nostris quousq; hu
iusmodi securitatẽ inuenerint, saluos custodi
ri faciatis. Assignauimus etiã vos, & quos scũ
vestrũ Justitiarios nostros ad inquirendũ pe
sacramentũ pborũ & legaliũ hominũ, de com
tatu predicto (per quos rei veritas melius scir
poterit) de omnimodis felonibus transgressori-
bus, Forstallariis, regratariis, & extortoribus
in comitatu pdicto p quoscũq; & qualitercũq;
factis, siue ppetratis, & q ex nunc ibidẽ fieri ve
attẽptari cõtigerit. Et etiã de omnib' illis, qu
in conuenticulo cõtra pacẽ nostram, & in ptur
bationem populi nostri, seu vi armata ibidẽ
vel equitauerũt, seu ex modo ire vel equitare p

sumpserint

sumpserint. Et etiã de hijsqui insidijs ad gẽs nostrã mahimãdã, mactiãdã, vel interficiẽdã, iacuerit, seu ex modo iacere pñsumpserint. Et etiã de omnib⁹ illis q̃ capicijs & aliis liberatis de vnica secta p cõfederationẽ, & p manutenãcia cõtra pphibitionẽ, ac formã ordinationũ et statutorũ pdictorũ inde ante hec tẽpora factorum, pñ fuerint, et aliis hujusmodi liberatis imposterũ vtẽtib⁹. Et etiã de hostelarijs, et aliis q̃ i abusu mẽsuraꝝ, & pondẽrũ, ac in vẽditione victualiũ. Ac etiã de quibuscũque operarijs, medicatibus, artificib⁹, seruitorib⁹, hostelarijs, et vagabũdis ac aliis q̃ cõtra formã ordinationũ et statutorũ pdictorũ p cõmuni vtilitate regni nostri Anglie, et populi nostri eiusdã, ac hujusmodi venatorib⁹, operarijs, artificib⁹, seruitoribus, hostelarijs, mẽdicãtib⁹, et vagabundis, ac aliis inde factorũ deliquerit vel attẽtauerit in comitatu predicto, seu ex tũc delinqre vel attẽptare pñsumpserint. Ac etiã de quibuscunque vicecomitibus, Maiorib⁹, balliuis, senescallis, constabularijs, ac custodibus gaolarũ qui i executione officiorũ suorũ erga hujusmodi artifices, seruitores, laboratores, vitellarios, hostellarios, mẽdicãtes et vagabũdos ac alios pdictorũ iuxta formã ordinationũ et statutorũ predictorũ faciendorũ indebite se habuerint, & ex nũc in debite se habere pñsumpserint, aut tepidi, remissi, vel negligẽtes fuerint, aut ex nũc tepidos, remissos, vel negligẽtes, fore cõtingerit, & de omnib⁹ & singulis suis articulis, et circũstantijs, ac aliis premissis cõtra formã ordinationum, et statutorum predictorum p quos-

cunque, et qualitercũque factis, siue ꝑpetratis, et que ex nũc ibidem fieri vel attemptari cõtigerit, qualitercunque concernentibus plenias veritatẽ. Et ad indictamenta quecũque tã corã vobis, seu aliquib⁹ vestrũ, aut aliis nuꝑ custodib⁹ pacis, & Justiciariis domini. E. quarti, & E. quinti, nuper Regis Anglie, ac Richardi ꝛcii nuꝑ (de facto, et nõ de iure, Regis Anglie) nec nõ dñi H. nuꝑ Regis Anglie septimi patris nr̃i defuncti, huiusmodi felonias, trãsgressiones, & malefacta in comitatu ꝑdicto audiẽda et terminãda assignatis, virtute diuersarũ literarũ eorũdẽ. E. E. R. et H. vobis aut aliis factarũ, facta et nõdũ terminata, que corã vobis et sociis vestris nũc custodib⁹ pacis nostre & iusticiariis nostris, huiusmodi virtute literarũ nostrarũ facta & et nondũ terminata, inspiciẽdũ (ac ad procedẽdũ inde, ac ꝓcessus v̄s⁹ omnes alios quos corã vobis seu aliquib⁹ vestrũ indicati cõtigerit (quousq; capiantur, reddãtur vel vtlegentur, faciendos & ꝯtinuãdos, Assignauim⁹ etiã vos trigita et quinq̃, trigita & quatuor, triginta & tres, triginta & duo, triginta & vnum, triginta, viginti et nouem, viginti & octo, vigiti ꝛ septẽ, viginti & sex, vigiti & quinque, viginti & quatuor, viginti tres, viginti & duo, vigiti & vnũ, viginti, & nouẽ decẽ, octodecim, septẽdecim, sexdecim, q̃ndecim, quatuordecim, tresdecim, duodeci, vndecim, decẽ, nouẽ, octo, septẽ, sex, quinque, quatuor, tres, duos, vestrũ (quorũ aliquẽ vestrũ, vos prefatos, duces Norfolchie, Suffolchie, et alios vnum esse volumus) Justiciarios nostros ad

Quorum.

felonias

felonias predictas, ac ea omnia & singula que p huiusmodi hostellarios, et alios, qui in abusu mensurarum, & ponderū, ac in venditione victualiū, et omnia alia, q̄ p huiusmodi operarios artifices, seruitores, laboratores, mendicantes & vagabundos, qui cōtra formā ordinationum et statutorum predictorum, seu in enaruationē eorundem in aliquo presumpta vel attemptata fuerint, vel attēptari cōtigerit, ac extorciones, et regratarias predictas, tam ad sectam nostrā, quam aliorum quorumcunque coram vobis p nobis, aut pro se ipsis conqueret, aut persequi volentium, audiendum et terminandum. Nec non transgressiones et forstallarias p̄dictas, ac omnia alia superius nō declarata ad determinanda ad sectam nostram tātum, et omnia alia, que virtute ordinationū et statutorum predictorū per custodes pacis nostre, & Justiciarios nostros huiusmodi, discuti et terminari debēt, audienda & terminā̄da, et ad eosdem, operarios, artifices, et seruitores p fines redēptionis, et amerciamenta, ac alio modo p delictis suis pro vt ante ordinationē de punitione corporali huiusmodi operariis, artificib⁹, et seruitorib⁹ pro delictis suis imponenda factum fieri cōsueuit. Necnon eosdem vicecomites, Maiores, Balliuos, Senescallos, Cōstabularios, ac custodes gaolarum, venatores, vitellarios, mēdicātes, & vagabundos, super his, qui contra formā ordinationum et statutorum predictorū attēptari fuerit vel attēptari cōtigerit, castigādos et puniēdos secūdū legem, & cōsuetudinē p̄dictā, ac formā ordinationū & statutorū p̄dictorū.

Proviso semper quod si casus difficultatis super declaratione et determinatione extorcionum huiusmodi coram vobis venire contigerit, tunc ad iudicium inde reddendum nisi in presentia vnius Justiciariorum nostrorum de vno vel de altero banco, aut iusticiariorum nostrorum ad assisas in comitatu predicto capiendas assignatorum, coram vobis minime procedatur. Et ideo vobis, et cuilibet vestrum mandamus, quod circa custodiam pacis, ordinationum, et statutorum predictorum diligenter intendatis, et ad certos dies et loca (quos vos seu aliqui vestrum ad hoc prouideritis) diligenter super premissa faciatis inquisitiones, et premissa omnia, et singula, audiatis, et terminetis, ac modo debito, et effectualiter expleatis in forma predicta, facturi inde quod ad Justiciam pertinet secundum legem et consuetudinem regni nostri Anglie. Saluis nobis amerciamentis, et aliis ad nos inde spectantibus. Mandauimus enim vicecomiti nostro, N. quod ad certos dies et loca quod vos seu aliqui vestrum ei scire faciatis, venire faciat coram vobis seu aliquibus vestrum tot et tales probos et legales homines de balliua sua, tam infra libertates quam extra, per quos rei veritas in premissis melius scire poterit et inquiri. Et vos prefati Johannes Fitziames dies et loca predicta, breuia, precepta, promissus, et indictamenta, predicta, coram vobis et dictis sociis vestris venire faciatis, et ea inspiciatis et debito fine terminetis, sicut predictum est. In cuius rei testimonium &c.

IT is nowe conuenient for oure purpose, to declare and shewe the effecte of this commission & what auctorittie the Justices of peace haue, as well by vertue therof, as also by diuers statutes, when they be constituted and made Justicers by the kynges commission. And first as concerning the auctorittie that is geuen to them by estatutes, that shall appere more plainly in the titles herafter ensuing. Therfore at the beginninge, when anye such commission is awarded, it appeareth well by the woordes therof, that a writ shalbe directed to ỹ sheriffe of thesame county (in which they shalbe made Iusticers) and that is called a writ of attendaunce, as it is euident by the expresse woordes of the cõmission, which be these. Mãdauimus enim vicecomiti nostro S. quod ad certos dies et loca, quos vos seu aliqui vestrũ ei scire facietis venire facias cozã vobis seu aliquibus vestrum, tot et tales ꝓbos & legales homines &c. i. we haue commaunded our sheriffe of S. that at certain dayes and places (of which you, or soe of you shal do hi to wet) he shal cause suche and so many honest & lawful men, to come before you, or some of you &c. By which woordes it appereth, that the Justicers vpõ their cõmission shal direct their precept vnto the sherife, comaundinge him to the same to make an inquest and panell of lawfull men of his countye, retornable before them, at a certain day and place within the same county, assigned and specified in the sayd precept, to enquire

a writte of attendaunce to ỹ sheriffe.

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enquire of all such thinges, as to them shall be enioyned on the kynges behalfe, whiche they by theyr commission haue power & auctoritye to heare and determine, the tenour of whyche writ here ensueth.

¶ Antonius .F. & socii sui custodes pacis domini Regis in comitatu .S. ad audiēdū & terminandum assignati, vicecomiti .S. salutē. Ex parte domini regis tibi precipim⁹, q̄ nō omittas ꝓpter aliquā libertatē in balliua tua, qui eas ingrediaris, & venire facias cozā nobis tali die ꝓximo futuro apud .w. 24. liberos et legales homines de q̄libet Hūdredo, Tithingo, wapētagio, ac de q̄libet burgo de balliua tua ꝓdicta, ad faciendū ibidē q̄ sibi ex parte domini regis iniungētur. Scire facias etiā omnibus, senescallis, constabularijs, subcōstabularijs, et ballinis infra Hundredū & burgum predictū, q̄ tūc sint ibi, habentes secū omnia nomina artificū, laboratozū & seruiētiū infra eozum balliuas, excelliua contra formam ordinationū et statutozū capientiū, sufficienter imbreuiator. Proclamari insuper facias, quod omnes illi q̄ tā p̄ domino rege, quā pro se ipsis versus ipsos artifices, laboratozes, & seruiētes, aliquas q̄relas iurta formā ordinationū & statutozū ꝓdictozum conquerī vel prosequi voluerint, q̄ tunc sint ibidē cozā iusticiarijs inde prosequitur. Et tu ipse tunc sis ibidem cū balliuis Hūdredozū libertatū, & burgozum ꝓdictozū habens tecum omnia nomina senescallozū, cōstabulariozum, & subcōstabulariozum, iuratozū & hoc ꝓceptū. Teste .W. apud westmonasterium tali die. &c.

And

¶ And it is to be noted, that, whē the sherife shal returne the foresaid precept before ẏ sayd Justicers, the Juratours, that be returned, shalbe called, by whom the inquestes & presētmentes shalbe taken. And in lyke maner shall the Cōstables & vnder Cōstables by themself make presentmentes of & vpon the excesses of craftesmē, labourers, & seruaūtes. And euerye such p̄sentmēt made by thē in this behalf, shalbe as good & auaylable, as a presentmēt made by .xii. mē, of & cōcerning the excesses aforesaid. Also it appeareth by these wordes of the commissiō (Et vos prefati Johannes F. ad dies & loca p̄dicta breuia p̄cepta, p̄cessus & īdictamēta corā vobis, & dictis socijs vestris, venire faciatis, eaq̄ inspiciatis, ac debito fine terminetis i.) you the foresaid J. F. at the dayes & places aforesaid, shal cause the foresayde writtes, preceptes, p̄cesses (& indictamētes) to be brought before you and your sayde felowes, & them you shall looke vpon, and determine (after the due course) that the same Justicer, that is so named therin, shalbe keper of the rolles & recordes of all plees, Inditemētes, processes, and al other matters had, moued or depēding before them, & he is called Custos rotulorū. And it appeareth by these wordes, Assignauimus etiā vos, et quoscunque vestrū Justiciarios nostros, ad inquirendum per sacramētum proborum et legalium hominum de comitatu predicto. i.

¶ We haue assigned you and euery of you our Justicers, to enquire by the othe of honest and lawfull menne of the foresaide Countye, that

two

p̄sentment of cōstables & vnder constables.

Custos rotulorū.

two Justices of peace may holde & kepe Sessiōs of the peace to enquire of all thinges contained in the commission. Howbeit one Justice of peace cannot do it, because the wordes of the commission be in the plural nomber, that is to say, vos.i.(you, whiche hath relaciō to all the Justicers named therin) et quoscunque vestrū i.euery of you) which hath relacion to two iusticers at the least. Also by these wordes (Assignauimus etiā vos) et quoscūque vestrū Iusticiarios nostros, ad inquirendū ꝑ sacramentum proborum et legalium hominum de comitatu predicto.&c.i. we haue also assygned you and whosoeuer of you they be, our Justicers to enquyre by the othe of honest & lawfull men of the sayd countie &c. It appereth that two iusticers may kepe & hold the Sessiōs of peace to enquire of al thinges conteyned in their commission. Albeit that one Justicer may not do the same, because the wordes of the cōmission be (vos.i.you) whyche hath relacion to al the that be named in the commission. And (quoscunque vestrum.i. whosoeuer of you they be) whiche woordes haue relacion to two at the least, because the woordes be in the plural nōber. Notwithstanding it semeth, that two Iusticers of peace cannot enquire, heare and determine felonies and other offences expressed and specified in the commission, except the one of them two, be iusticers of quorum named in the commission, as appeareth by these wordes in the cōmission. Assignauimꝰ vos.xxv.xxxiiii. &c.xliiii. et duos vestrū, quorum aliquē vestri

vos

one Justice of peace cannot kepe Sessions alone.

ij. Justice of peace maye enquire of all thinge within their commission.

they cannot enquire, heare, & determyne felonies &c. except one be of the quorū.

vos prefatos. A. B. et C. vnum esse volumus. Iusticiarios nostros, ad felonias predictas, ac ea omnia et singula, que. &c.

We haue assigned you. xxxv. xxxiiii. &c. foure thre, and two of you, of whom we wyl the said A. B. and C. to be alwayes one of our iustycers, to heare & determyne felonyes, & al other thynges, whych. &c. Moreouer it appereth in ye commission, that if any cause of difficulty in the law, of extorcions happen before Iustycers of peace to be determyned, notwithstanding that they be Iustycers of (Quorũ) yet shall thei not procede to geue iudgement in the same matter, onles it be in presence of one of the Iustycers of the one bench, or the other, or the Iustycers of assyse in the same county. And that is by reson of these wordes in the cõmission. (Prouiso semp, quod si casus difficultatis super determinatione extorcionũ huiusmodi, corã vobis venire cõtigerit, tũe ad iudicium inde reddendum nisi in presencia vnius Iustitiariorum, nostrorum de vno vel de altero bãco, aut Iustitiariorum nostrorũ ad assisas in comitatu p̃dicto capiendas assignatorũ minime procedatur. Prouyded alwayes, that yf any case of dyffycultye happẽ to arise before you, about the determinacion of suche maner of extorcions, then shall ye not procede to geue iudgemẽt therupõ, onles it be in the presence of one of our Iustycers of ye one bẽch, or the other, or our Iusticers of assise in the said coũty. But now it is to be sene how these wordes, super determinatione extortionũ huiusmodi, i. vpõ ye determinatiõ of such maner extorcions

A cause of dyffycultye, of Extorcyons.

. note; of extorsyons.

extorcions shalbe expounded. And it semeth ye within the compasse of those woordes shall be comprised and taken al maner offences, felony, and all other thinges done agaynst the kynges peace, mencioned and conteyned in their commissyon. So that yf any doubt in lawe aryse vpon the same before them, they shall procede no further, but shalbe aduysed therupon vnto the cōminge of some of the Justices, aboue named, yet notwythstanding yf they procede and geue iudgement in such cases, as be doubtes in law, and doe not tary vnto the comming of the said Justycers, the Judgement shal yet stand in his force, and shall bynde all maner of persons, vntyl it be reuersed by Errour. But now wyll I declare the special artycles of the sayd commission, euen as they bee specyfyed in the same in the beginning, whereof it appeareth that they bee made Justycers as well for the Kynges peace to bee kepte and conserued, as also to cause the kings subiectes to kepe it. And moreouer to cause all those persons (that manace or threten any other to hurt theyr bodyes, or burn theyr house) to appere before thē, & to find sufficiēt suerty of ye peace; & to their good abering against the king, and al his people. And yf they refuse so to do, they to cause them to be kept in prison, vntyll they haue found such suerty, and that by the statute made ye .3. & .4. yere of E. 3. ye firste Chapter. Also the Justicers by the same estatute, vpon informacion made vnto them, or by their discrecion wythout anye informacion shall awarde suche a precept agaynste any per-

Judgment given shalbe in force.

Suerty of peace good abearinge.

3° et 4° Ed. 3. ca. 1°

son

son to finde suerty of hys good aberynge, or of the peace. And it semeth to me that one Justycie of the peace, by his discrecion may as well awarde any such precept, as two may. And the statute goeth to the same effect, as it is clere by the wordes therof, for els peraduenture myght ensue great damage to many of ỹ kynges liege people, yer ỹ party should not be attached before that two Justicers had made the precepte, yet know I very well, that the common vlage is to make such a precept of good abearing in the name of two Justicers, which order is good to be kepte. Also the common vlage is, when anye suerty of the peace is demaūded by one person againste another afore the Justycers, to cause the partye that so demaundeth it, to take an oth vpon a booke, that he demaundeth the same for sauegarde of hys body, house or goodes, not to be hurt or burnt.

¶ And thys order is necessary to bee obserued, or els some would require suertye of the peace against other before ỹ Justicers of peace, more for malice, and to vexe other, then for any doubt of bodely hurte.

¶ Howbeit a iustice of peace by his discrecion without the request of any person, may directe his precepte to the sherife, or other officers to cause any ylon to come before him to find suerty of the peace against al the kinges liege people, it maye seme to the discrecion of the same Justycers conuenient to be done. Or els a Iusticer of the peace may commaunde a man being in his presence before him to find suerty to kepe

the

one Justicer of ỹ peace / alone,

suerty of peace demaunded.

take an oth.

a precept for ỹ peace without ỹ request of any.

the peace agaynst all the kynges lyege people, and to appeare at the next general Sessions to be kept in thesame countye without any precept, yf he thynke it so cōuenient to the conseruacion of the peace. And yf the partie refuse, to finde such suerty, then thesame Justycer may commaunde hym to the prison of the same countye without any precept, and shall iustifye hys act, because he is a Justice of recorde, and his commaundement by wordes, which (as me semeth) is more strōger then a precept vnder his Seale.

And if a Justicer of peace direct a precept of ye peace against any pson, to cause him to come before him, or before some other Justicer of the same coūty, & to find suerty of ye peace, & to appeare at the next generall Sessions in thesame county, & deliuer thesame precept to the sherife or some other offycer: Now may an other Justicer of peace graūt a (Supersedeas) to ye same person, agaynst whom the precept is awarded, & may take a recognisaunce of him, that he shall appeare at the next generall Sessions within thesame county, accordyng to thesame precept. But it semeth, that another Justycer cannot discharge suche a precept beinge alredy made, & to gyue another daye to the party to appeare at some other Sessions, whiche is not expressed in the same precept, because that one Justycer hath no more aucthoritie then another. And suche a warraunt or precept is a matter of recorde, which cannot be discharged by another Justicer.

Commaunde, without precept, to finde suerties.

A Justicer of ye peace, is a Justice of Recorde.

A Justicer of peace directinge a precept of ye peace.

Supersedeas may be granted by another Justicer.

A precept cannot be discharged &c.

One Justicer hath no more authority, than another.

¶ In lyke maner, yf one be bounden before any Justicer of the peace by recognisaunce, to kepe the peace againste all the kynges liege people, and to appere at the nexte generall Sessions in the same countye? Nowe cannot another Justicer graunt him a Supersedeas to appeare at another Sessions, than the same where at he is bounden by the recognisaunce to appere, because he cannot discharge suche a recognisaunce taken by another Justicer.

And the Justicer is bounden by Estatute, to certifie the recognisance at the nexte Sessions and the partie shalbe called therupon. But in this case yf the party so bounden by recognisance to appeare at the nexte Sessiōs, bring a writte of Supersedeas out of the Chauncery, testyfyeng that he hath founden a suertie there againste the partie, or agaynste all the kynges lyege people for euer, and sende thys wrytte of Supersedeas to the Justicers of peace at the next Sessions by his seruaunt, it semeth, ẏ he is discharged of his appearaunce therbi, notwithstanding that the recognisaūce be certified at the same sessions, because the grauntynge of the same writ is the acte of the kinge, whiche is the fountayne whereout the administracyon of al Justices procedeth.

And the common vsage in the kinges benche is accordynge therto: for yf one be bounden there, to kepe the peace and to appeare at acertayne daye, if before his daye of apperaūce he brynge or sende a Supersedeas to the Justicers, out of the Chauncery, testyfyeng, that

he his bounden there, by recognisaũce to kepe the peace, in that case the Justices wyll not call hym at his day of appearance by the recognysaunce, but wyll discharge it without any appearance.

But yf a man be bounde by a recognisance before Justicers of the peace, to appeare at the nexte Sessiõs, and after he purchaseth a Supersedeas out of the Chaũcery, directed to the testifieng, that he hath founden suertye vntill a certayne day, whiche is after the nexte Sessyons, I doubte very much whether this Supersedeas shall be alowed without the appearaunce of the partie, at the nexte Sessions. And if the party doe not appeare then accordyng to his recognisaunce, whether he shall forfayte the same. In this case it semeth vnreasonable, that he is bounden to appeare at the sayde nexte Sessions, or els he shall forfayte his recognisaunce, for the mischiefe that might ensue to hym that demaunded the suertye of peace, after the daye expressed in the Supsedeas, before that he can haue the party bounden of new, to kepe the peace agaynste hym.

forfayte ye recognysaunce.

Also if one be bounden by recognysaunce before Justicers of the peace, to kepe the peace & to appeare at the nexte generall Sessyons, whiche suerty is at the suite of some pson, that had demaũded the same, now if before the sessyons, he that demaunded suche suerty wil release it before any other Justicer of the peace if the same Justicer of peace at the daye of the

kepe the pty; that assuerty of peace may at all times discharge ye other, before a Justicer.

Sessions

Sessions certifie the sayd release to the Justicers beyng at the Sessions, he ꝑ is so bounde by recognysaunce shalbe discharged thereby, and he shall not be called vpon his recognysaunce, neyther shall his defaute be recorded, for so muche as the principall cause of the recognysaunce made, was for to kepe the peace, the whiche is discharged by the release made before a Justicer of the peace, whiche release when it is certified at the Sessyons, then is the appearaunce but a thinge accessory thereto, and was made onely to the entent that he should fynde newe suerty of the peace, in case the partie coulde not release. And that to the common vsage, but yet shall not the recognysaunce be cancelled, for so muche as he might haue broken the peace before the same release made. But yf a Justicer by hys discrecion awarde a precepte againste one to finde suerty of the peace, and to appeare at the nexte Sessions, or els without any precept commaund one to fynde suertye of the peace, to appeare at ꝑ next Sessions, without anye peace demaunded by any person, and take a recognisaunce of the party, that he kepe the peace & appeare at the next Sessions: in this case the Justicer that toke such suerty & recognisaunce, may discharge the same, & his appearaunce at his pleasure when he shal think conuenient, because that in this case the whole act dependeth only vpon the discrecion of the sayd Justicer.

And yf two Justicers of the peace awarde theyr precepte to the Shyrriffe to hold a Sessyons

ſyons at a certayne daye and place, commaū-
dynge hym by the ſame to retourne a panell
of ſuche a venue before them, in this caſe o-
ther Juſticers can not by the law make a ſu-
perſedeas to the ſhyrriffe, that he ſhall not re-
tourne the panell, nor come at the daye and
place to hym aſſigned by the other precepte.
But the kynge by hys writ of Superſedeas
maye commaunde the Shyrryffe or the Juſti-
cers that they ſhall not kepe the ſame Seſſi-
ons at the daye and place appointed, and that
ſhall be a diſcharge of the precepte made by
the Juſticers to haue or kepe ſuche Seſſiõs,
Then is the compliſhmẽt further. Aſſygnau-
mus vos coniunctim et diuiſim ad pacem no-
ſtram ac ad Statuta et ordinationes apud
winton. Northampton, et weſtmonaſterium,
pro conſeruatione pacis eiuſdem, cuſtodienda
et cuſtodire facienda. By whyche wordes it
appeareth, that the Juſticers ought to do
they re deuoure, that theſe eſtatutes maye be
obſerued in al poyntes, & that in euery of they
quarter Seſſyons they ought to enquyre of
thoſe, that offende agaynſt thoſe ordinaunces
and that in gyuynge the charge vnto the in-
queſtes, they ſhall ſpecially reherſe the arti-
cles of the ſame eſtatutes touchyng the obſer-
uation of the peace, and the good gouernaūce
of the ſubiectes of this Realme. And this
ſtatute of wincheſtre was made in the .xiii.
yere of kynge Edwarde the fyrſt all onely for
the conſeruacion of the peace and good ordre
of the people, for whyche cauſe it is neceſſary
the

that the same be publyshed & gyuen in charge vnto the inquest to enquyre specially of those articles, whyche here after shall appeare amonges the articles after wrytten. And the statute of Northampton was the second yere of kynge Edwarde the thyrde, and contynued vnto the fourthe yere of hys reygne with diuerse other statutes concernynge the peace & good gouernance of the kings subiectes, which hereafter folowe.

¶ And where the commyssion is further.

Assignauimus. &c. ad Statuta et ordinaciones apud winton, Northampton, et W. pro conseruacione pacis. &c. It is to be noted, that there haue ben many estatutes made at westmynster touchynge the good order of the people, so that I can not perfectlye perceyue, to whyche of the Estatutes (made at Westminster) this commission and the meanynge therof shalbe referred and cõstrued. But for so much as by common intendement and this fourme of commission was deuysed, when Justyces of the peace were fyrst ordeyned, & then was there no statutes made at Westminster, but onely the olde estatutes of Westminster, fyrst, seconde, and thyrde; and also because the fyrst statute of West. maketh mencion of the conseruacion of the peace of the kinge and holye churche, & that menne of relygion shal not be ouercharged wyth the often resorte of the Shyryffe vnto them, nor by other person, and that theyr goodes shall not be taken by them, nor none other persons, wherfore it semeth

that Justicers of peace in theyr Sessiõs ought specially to enquire of them.

Statute made at Canterbury

¶ Then saythe the commission further. ¶ Ad statuta & ordinaciones apud Cantabrigiam. But the same estatutes were made at Canterburye and not Cambryge, whiche are De venatoribus, operariis, artificibus, seruitoribus, hostellariis, mendicantibus, vagabundis, et aliis hominibus qui se nominant (trauaylinge men) .i. of hunters, labourers, crafteismen, seruauntes, hostellers, beggers, vagabundes, and other, whiche name them selues trauaylinge men. But for bycause that there be many estatutes made cõcernyng such labourers, and crafteismen in the tyme of king Henry the. vii. and Henry the. viii. that same clause in the commission at this day is of smale effecte. And the commission maketh mencion of hunters, of whome the statute speaketh nothynge.

Statute made at westm. 1°. et. 2°. R. 4.

¶ Also where the commission doth make rehersal of the statutes and ordinaunces made at Westmynster, in the fyrste and seconde yere of H. the fourth, of lyuereys and token, and of another estatute made by kynge H. the. v. in the parliament holden at Leycestre, whereof we shall speake hereafter, it is euydent ynoughe what must be done in that poynte.

A statute made at Leycester, by Henry. v.

Coyne.

¶ Also the commission dothe extende further vnto counterfaytinge, clyppynge, washynge, and other fallefieng of the money of the land, in whiche cases the Justicers haue power by vertue of their commyssyon to enquyre, and

make

make proceſſe thereupon by Capias onelye, a-
gaynſt them that ſhalbe endyted.

Then goeth the commyſſyon further in
theſe wordes. Ac ad omnia alia ordinationes
et ſtatuta pro bono pacis noſtre, ac quieto re-
gimine, et gubernatione populi noſtri edita
in omnibus et ſingulis ſuis articulis in co-
mitatu noſtro. S. tam infra libertates quàm
extrà, iuxta vim formam et effectum eorundem
cuſtodiend', et cuſtodire faciend'. i. We
haue aſſigned you, to kepe, and cauſe to bee
kept al other ordinaunces and ſtatutes made
for the ſafegarde of our peace, and quiete go-
uernaunce of our people in our county of S.
accordynge to the force, fourme and effecte of
the ſame, in all and ſinguler theyr Articles
and clauſes, whyche wordes comprehende
all eſtatutes made for ſafegarde of the peace,
and good order, and gouernaunce of the
Kynges ſubiectes. And by thys commyſſion
they haue auctoryte, to enquere of thoſe,
that offende agaynſte the ſayde Statutes,
and to puniſhe and compell them to obſerue
the ſame eſtatute by force of thoſe wordes Cu-
ſtodiri faciend'. i. to cauſe to be obſerued or
kepte.

Then be the wordes of the commiſſyon fur-
ther. Aſſignauimus vos, et quoſcunque ve-
ſtrum. i. We haue aſſygned you, and whoſoe-
uer of you they be. And thoſe be in the plu-
rell nombre, wherby it appeareth that there
ought to be two Juſticers at the leaſt, whiche
ſhall enquyre of al maner Felons, Treſpaſ-

sours, forstallours, Regratours and extorcioners and so it appeareth, that Justycers of Peace may enquere of all maner of felonies, that were felonies at the common law of felonies made by estatutes; and of al maner trespasses committed agaynste the Kynges peace and of suche trespasses wherupon any myght haue accyon vpon the case for the trespas or disceyte: for in the ende of an accyon vppon the case these wordes be rehersed. Contra pacem nostram. i. Contrary to our peace, whiche is an offence & occasyon wherby the breache of the kynges peace may ensue, for the peace is none other thinge in effecte, but amytie and confidence had and annexed amonge the kinges subiectes. And he that breketh this amite or confidence, breketh the peace. Also it appeareth by these wordes. Pro quieto regimine, et gubernacione populi nostri. i. for the quiet ordre and gouernaunce of our people, that he, whiche breaketh this quietnes, breaketh the good ordre and gouernaunce amonges the kinges subiectes, by whiche it semeth, that the Justicers of peace ought to enquere of suche offences, trespasses and disceites.

¶ Moreouer the commissions speaketh of forstallours, for whiche cause it is necessarie to shewe, who shalbe sayde forstallours. And it appeareth by an olde treatyse made in the time of Kynge Edwarde the fyrst concerning forstallours, and by a booke case. iii. E. ii. in the tytle (Accion sur estatute) that suche a person shalbe sayde a forstallour, whiche by-

eth

If Justycers of peace maye enquire.

of all felonies.

of trespace againste ye peace. or where maye rise an action of ye case.

A definityon of this worde, peace.

who is said to breake ye peace.

A forstallour.

eth corne or other marchaundise, to the entent that he maye sell the same agayne at a more highe pryce. And in the tytle of (Action sur le case) P. vii. H. iiii. an action was brought agaynst one, that bought beastes in a market, & solde them agayne in the same market. Also in the title of Assise. 43. E. iii. in the boke of assises, it appeareth, that whosoeuer procureth, to enhaunce the marchaundises (whyche come thyther) shall make fyne and raunsome; or that procureth to abate the prices of wolles, and marchaundise of thys Realme, shall make fyne.

¶ The commission speaketh of regratours also, for the vnderstandinge whereof, it appeareth by an estatute, thereof made, in the. xiiii. yere of Rycharde the second, in the. iiii. Chap. that euery person, whiche byeth anye thynge, to sel the same agayne at a more highe pryce, shalbe called a regratour. And a forstallour is he, that byeth any marchaūdise, or other thing comming to ay marchaunt, Towne, fayre or market, to the entent that he may conuert the same to his owne vse, and not to sell it agayn, enquire the diuersite, of them, that be lerned.

¶ Also the effecte of this worde (Extorcionibus) .i. (extorcioners) is, that they maye enquyre of those, that commytte excessyue wronges: for, wronges done to anye person, is properly called trespas, but excessiue wronge, is called extorcion, whiche extendeth properlye to officers, as to Mayours, Baylyffes, Shyryffes, Eschetours, & other ministers, (whosoeuer

Note, ost à forstallor.

14. By. 3. cap. 4.

Regrator.

A forstallor.

quere.

Extorcyoners.

Note.

trespace.

Extorcyon.

soeuer they bee) whiche by coloure of theyr office, do great oppression and excessiue wrong to the Kinges subiectes, in takynge excessiue rewarde and fees for execucion of their office. And in like maner it shalbe enquired of the extortions of ordinaries, and other spirituall ministres, wherupon many estatutes be made, whiche giue aucthoritye to Justicers of the peace, to enquire of the defautes of Shiriffes Mayours, Baylyffes, and al other officers in doynge their offices, or in the execution therof.

Justicers of peace may enquire of defaulte of all officers, &c.

The commission is further. ¶ Et de omnibus illis, qui conuenticulis contra pacem nostram seu vi armata iuerint, vel equitauerint, et de hiis, qui in insidiis ad gentē nostram maheimandam vel interficiendam iacuerint. i. Ye shal enquire of al those, that ryde or go, in companies agaynste our peace, or with power of armes, & of those, that lye in awayte, to mayme or kyll our people. By whiche wordes the iusticers ought to enquyre of riottes, routes & al vnlawful assembles, which shalbe more euidently touched in the estatutes folowyng.

of Ryottes, routes & all vnlawfull assemblyes.

The commission is further. Et de omnibus illis, qui capiciis, et aliis liberatis de vnica secta per confederationem, et pro manutenentia contra formam ordinationum. &c. i. Ye shal enquere of al those, that weare Cappes and other lyueryes of one sute by confederacie and for mayntenaunce. &c. by whiche clause it appeareth, that they ought to enquire of confederatours and mayntenours, agaynst whome there be diuers estatutes made, but not to determine

termine them at the sute of the partye, but at the kynges sute, vppon bylles of Inditement notwithstandynge Iusticers of Assise and Nisi prius, may determine them aswell at the sute of the partie, as of the kynge.

Then is the commission further. Et etiam de hostellariis, et aliis, qui in abusu mensurarum et ponderum, ac inuentione victualium. &c. i. ye shall enquyre of hostellars and other, whiche offende in mysusynge weyghtes and measures, and in sellynge victualles, wherby it appeareth, that Iusticers haue power, to enquyre of the abuse of measures and weightes, and to se, that they be made accordynge to the statutes ordeined for the same, and to punyshe suche offendours, as vse them contrarye to the estatutes, whiche hereafter shalbe recited. And where as it maketh mencion of the sale of victuals, it semeth, the Iusticers of the peace shall punyshe victayllours, whyche sell theyr vittayles ouer deare, and shall make enquyre thereof, as it appeareth by dyuers estatuts, & ỹ they may also enquire of the defautes of Mayours, & Baylyffes in Cities and boroughs, for not limiting & assessing ỹ prices of victuales accordyng to ỹ statutes therof made.

And it is further. Ac etiam de quibuscunque vicecomitibus, Maioribus, Ballinis, Seneschallis, Constabulariis, ac custodibus Gaolarum, qui in executione officiorum suorum erga huiusmodi artifices, laboratores. &c. indebite se habuerint, aut tepidi, aut negligentes fuerint. i. ye shall enquyre of al maner

ner Shyrykes, Mayours, Baylykes, Stewardes, Constables and Gaylours, whych in executing theyr offices agaynste suche craftesmen, labourers. &c. vse themselues vnduly, or be slacke or negligent. By whyche wordes it appeareth, that Justycers of peace ought to enquyre of the defaultes, omission, and negligence of suche officers, for lacke of due execucion of theyr sayde offices agaynste the persons before named, accordinge to the statute made agaynste them, whiche hereafter shalbe rehersed.

✳ ¶ Then is the commission further. Et ad inquisitiones quecunq; tam coram vobis seu aliquibus vestrum, aut alijs nuper Custodibus et Justiciarijs domini Edwardi quarti Edwardi quinti, & Richardi tertij, nuper de facto et non de iure Regis Anglie. Nec non domini Henrici septimi nuper Regis Anglie patris nostri defuncti huiusmodi felonias, transgressiones, et alia malefacta in comitatu predicto audienda et terminanda assignatis, virtute diuersarum literarum eorundem. E. R. et H. vobis aut aliis concessarum facta et nondū terminata, quam coram vobis et sociis vestris virtute literarū nostrarū facta, et nondum terminata, inspicienda, ac ad processus inde versus omnes (quos coram vobis indictari contigerit) quousque capiantur, reddantur vel vtlagentur, faciendum & continuandum. ¶ To ouerse all maner of inditements, whiche hang aswel before you, or anye of you, or other the late Justicers of Edward the fourth, Edward

warde the fyfth and Rycharde the thyrd, late kynge of Englande in dede, and not in ryght, and also of Henry the seuenth, our father, late kyng of Englande disceased, all sygned by them, to heare and determine suche maner felonyes, trespasses, and other offences by vertue of diuers letters patentes graunted to you or other, as also by vertue of our letters patentes to you graunted of thynges done & not yet determined, and to make and continue processes therupon agaynste all those (whiche shall happen to be indited before you) vntyll they be taken, yelded, or outlawed. By which wordes it appeareth playnly, that Justicers of peace ought to heare, and determine all inditementes, taken, and founden, aswel before Justicers of the peace in the same countye, made in the tyme of other kynges, of whome theyr commyssion maketh any mencion, as before themselues, and to awarde processe vpon the same by venire facias, capias, or exigente (as the case shal require) vntill they be taken or yelde them selues, or be outlawed. Howe beit Justicers of the peace haue none auctho-ritie, to deliuer the Gayle, but onely of those, ye be indited before the selues, or before other Justicers of peace in the same countie, accor-ding to the power giuen to them by theyr cō-myssion. For as touchyng them, that be indy-ted before commissioners, de audiendo et ter-minando, beynge in the Gayle, they hadde no power to arayne them, nor suche as be in the gayle for suspection of felony, but they maye

enquire

enquyre of them, and if they be indited bef
them, then may they arayne suche, and delyu
them, if they be acquited, or put them to exe
cion, if they be founden giltie.

But they cannot deliuer suspecte of Fe
nye by proclamacion, as Justicers of Ga
delyuery maye. Albeit that no person taken
suspection of felonye can be deliuered by pr
clamacion before Justicers of Gayle delyuer
before that the same prisoner be inquired
before the Justicers of peace or Gayle de
liuere, at their Sessions. And suche person
as be indited before Justicers of the peace
pety brybery, maye be delyuered agayne
the same Justicers, whiche may enioyne the
suche penaunce by theyr discrecyon, as to th
shall seeme conueniente, by imprisonment
otherwyse.

After the commission goeth further. Assignau
mus etiam vos. v. & threty. iiii. & threty. &c.
et duos vestrum (quorũ aliquem vos prefat
A. B. et C. vnũ esse volum⁹) Justiciarios no
tros ad felonias predictas, ac omnia et singula
que per huiusmodi hostellarios, artifices &c.
ac extorciones et regratarias predictas, tam
ad sectam nostram, quam aliorum quorunci
que, coram vobis, pro nobis, aut ꝑ seipsis pro
sequi volentium, audienda et terminanda. i.
we haue also assigned you. v. & thyrty. iiii. and
thyrty. &c. & ii. of you (of whome we will the
sayde. A. B. and C. to be one) our Justicers, to
heare and determine the Felonies aforesayde
and all and euery thynge committed and done
by

Justice of peace may not deliver by proclamation for suspition of felony.

pety briberye.

Quorum.

by the sayde hostellars, labourers &c. and all extorcions, and regraters before mencioned aswel at our sute, as of all other, that lyste to sue before you for vs, or for thē selues. By whiche wordes it appeareth, that two Justicers of the peace haue power, to enquire of all the articles expressed in their commissyon, albeit that none of them be Justicers of quorum; yet cannot the Justicers of peace heare and determyne the articles conteyned in theyr commissiō, except that one of them be a Justicer of Quorum, without it be in speciall cases gyuen by estatutes. Also they maye heare and determine in diuers maners. For some offences they maye determine by verdite of. xii. men, vpon a trauerse taken to the inditement, or presentment, and some offences by examinacion or confession of the parties, whiche shall appeare in the estatutes herafter folowynge. And as touchynge these wordes. Tam ad sectam nostram, quam aliorum. i. aswell at our sute, as at others, it is to be noted, that ye kinges sute is alwayes by way of presentment, or inditement. And that sute of the parti is by informacion made to the Justicers. But that is in special cases, where the estatute giueth auctoritie to the party, to make informacion vnto the Justicer, & that they may heare and determine the same informacion, as hereafter shall appeare.

And Justicers of peace maye recorde a ryot or an vnlawfull assemble made before them in their sessions, or els if thei be disturbed by any

with

ij. Justicers may enquire.

but one of ye ij. must be of ye quorum, to heare & determyne.

verdite of xij. men

examynation, or Confession.

Sute of ye kinge, what it is

Sute of ye partie, what it is.

ryotte, or disturbance at Sessyons, &c.

with force, cũming to their sessiõs, so that th
are letted, to come thyther, they maye reco
this force, and the offenders shalbe conuict
the same recorde, without any other prese
ment. M. vii. H. iiii.

And by the estatute made the thyrde ye
of Henry the. vii. the first Chapt. euery Ju
cer of the peace is bounden. to certifie all
cognisance of the peace by him taken, at
next generall sessions holden in the same cou
tie, yet is there no payne limitted, if he do
certifie; neuerthelesse if the recognysance
taken for felony, then he is boũde to certifie
at the next generall sessions vpon the payne
x. li. Also a Justicer of the peace hath pow
to remoue the force, and to recorde the sa
and maye commit them to warde by the st
tute. But they haue no power to take an ap
peal before them in theyr sessions by any ap
prouer: nor yet to assigne a Coroner vnto h
bycause theyr commission extendeth not so
neyther haue they any power, to enquyre
murther, bycause the same t̃me is not expre
sed in their commission. Howbeit they ma
enquire therof as felony and manslaughter.
Also thei haue no power, to enquire of no tre
sons, but onlye of suche, as be comprised wyth
in their commission.

If information be made to Justicers of
peace, that suche persons be doing suche a riot
in suche a place, vpon the same informacion
they may make an assemble of people to take
them. And when they be common to the place
though

letted in comynge.

convict by recorde.

X

certify Recognisance. 3°. H. 7. cap. 1°.

remove ye force.

appeal of an approver.

murther.

treasons.

assemblies. lawfull, made by a Justicer.

though they fynde it no riot, & that the informacion was false, yet are the iusticers excused of the assemble, because that vpō euery such information, it is lawfull for them to make such assembles for the conseruacyon of the peace. And much better it wer, that such an assemble should be made in vaine, then the peace to bee broken for default therof. But if a Justicer of the peace without any informacion, thynke in his minde, that certain persōs be doinge a riot in some place, in this case they may lawfullye assemble the people to go and arrest the riotors & when thei come thyther, & see them dooinge any riot, thē may thei arrest them, & put them in warde and so shall thei bee excused of the assemble. But if they make suche an assemble without any informaciō, and (when they come thither) do se no person doyng any suche ryot, in that case thei shall be punished for makynge the assemble. And this diuersitie was agreed by all the court. And if a Justicer of the peace, se one doing a riot, he may arrest him, or commaund another by worde to arest him without any precept in writing, & may record the same, yet the party shal not be concluded therby, but may trauers it, as to say, that he did no suche riot. And this was thought by al ye court. For, if a Justicer of the peace wil arest and commit one to ward, and will recorde, that he saw the party doing a riot, this an action of trespas lyeth wel for the party against the same Justicer or els he might haue made rescue againste the same Justicer, whē he was arrested. For there

assemblies vnlawfull, made by a Justicer.

arrest a Ryoter.

action of trespass against a Justicer. or rescous

is diuersity, where one hath auctority of record, to arest another, & wher he hath nothing, but ye auctority of the law. For if a Capias be directed to ye sherife, to arest one for felony, ye ptie may not make rescue, though he be not gyltye. Causa qua supra. But if a sherife wil arest a man for suspecciō of felony, by the same auctority, ye the law geueth to euery mā to arest a felō, in ye cause if the party be not gilty, he may rescu him self, & so may he do in the case of iusticers of the peace, next aboue rehersed by the opiniō of Fineux chiefe iustice. But if one ent̄ w̄ force in any lādes or tenemēts, a iusticer of ye peace may go thither to se the force, vpō ye sight whereof he may record the same, & ye party shalbe cōcluded therby, & shall not plede not gilty therto, but that is expresly geuē by estatute, by al ye iusticers & if a iusticer of ye peace sittīg in place iudicial, as in the sessiōs, se any mā doing riot, he maye cōmaūd one, to arest & kepe hī & maye make record therof, & the party shalbe cōcluded by ye same record by the opiniō of Fineux chief iustice & al his cōpanions. And if two iusticers of the peace se any doynge riot, thei may commaūd other, to arest the riotours, & shal make record therof, & the party shalbe cōcluded therby. Neuertheles if thei se not ye riots done, thei shal not record thē but thei may enqre therof, by al ye court, yet me semeth ye if two iusticers of the peace record that thei saw A. B. & other cōmittinge riot in some place such a day & yere vpō any pson, though that thei neuer saw it, or if ther wer no such riot in dede, yet shal the p[illegible]

Authorytie of Recorde.

Authority of ye Lawe.

Rescous in suspytion of felonye.

entre into lande by force.

a Iusticer in place Iudyciall, seinge a ryote.

ij. Iusticers seinge a ryotte.

they not seyinge ye ryotte.

be cōcluded therby. For the view of the riot is neuer trauersable. In lyke maner if one iusticer or two, record in their sessiōs, that they saw certain persons doing a riot at their sessiōs: in this case the parties shalbe cōcluded by the record, though that the iusticers saw it not, and though that there were neuer any such riot, because thei be iusticers of record, and the statute geueth to thē that aucthority, wherfore ẏ party shal not, be receiued to trauers the same record in any point. ¶ A iusticer of the peace, or a lord of a town may cōmaund a labourer to the gail if he wil not serue, aft which the same lord or iusticer of the peace may commaund ẏ gailour to let him at large without any precept therof made, for by like reason that thei vpō a suggestiō made vnto thē, may cōmit him to ward, by thesame vpon their worde thei may discharge euen, as the Chaunceller of England vpon a suggestion made vnto him, may commit one to prison, and euen so may discharge him.

¶ In a supplicauit directed to the sherife & to iusticers of peace, to cause one to find suerty of the peace, thei may award their p̄cept vnto another to attach ẏ p̄ty & to cause hi to find suerty &c. & so be the deputies in the case as it semeth, & the suerty must be takē before the sherife, or before the iusticers of peace. And he (to whom such a precept is awarded) hath no further power, but to cause hi to come before ẏ sherife or ẏ iusticers of the peace, to find suerty, whiche if he refuse to do, thē to arest hi & to sēd him to ẏ gaile, as you shal se. T. 9. Ed. 4. in the title of false imprisoning.

Othē with the declaraciō therof.

¶ Thus endeth the exposition of the cō-
mysſion made to Juſticers of the
peace, and here enſueth their othe
with a declaracion therof.

FOrſomuch as euery perſō that ſhalbe made
Juſticers of the peace, ſhalbe ſworne & take
an othe (whē he is conſtituted) duelye to exe-
eute his office according to ye aucthoritye geuē
to hym, it is very cōuenient that he haue the
ſame alwaies in his remembraunce for the diſ-
charge of his cōſcience, to the entēt that he do
nothing, ye ſhalbe contrari to his oth, & for that
cauſe the tenour of the ſame othe, here enſueth.

¶ The fourme of the oth.

YOu ſhal ſweare that you as iuſti-
cers of ye peace in the cōuty of S.
after your cunning, wit & power,
ſhal do regal right both to riche &
poore, in all matters touching the
kinges commiſſiō to you directed, according to
the lawes & cuſtomes of the land, & the eſtatu-
tes therof made, & ye you ſhal not be of cōuſell
with any perſō in any quarel hāging afore you
& to kepe your ſeſſiōs aft the forme of the eſta-
tutes therof made, and al iſſues, fines, amercia-
mēts and forfeitures happening before you to
cauſe truly to be ētred wout any cōuceling or in-
beſilmēt, & truely to ſēd ye ſame vnto ye kinges
eſcheker. And you ſhal not ſurceaſe for fauour
gift or other cauſe, but truely to do your office

equall righte.

of Justicer of the peace in that behalf. And you shal not take any thing for doig your office but of ỹ kinge, & that fees accustomed, & costes limited by the statute. And you shal not dyrecte nor cause to be directed anye warrante by you made vnto the parties, but vnto the bailifes of the sayd county, or other the kynges officers or ministers, or other indifferent persons, to make execution therof. So help you god, and his saintes.

¶ A declaration of the oth.

By this oth it appereth that thei ought to do al thinges appertayninge to the office of Justicers of the peace, wherof one principal point is that thei kepe the quarter sessions at the daies and places accustomed, wichoute there be some special cause or impediment. And when the Jurours shalbe sworne, one of the justicers shall geue thē a charge to enquire of al such articles & thinges, wherof they haue auctority & ought to enquire, because ỹ Jurors cannot know their dueye otherwyse then by the charge to thē geuē by ỹ Justycers. And as wel as the Jurours be bounde by their othe to make inquire of al thinges wherwith thei shal be chargebiso be ỹ Justicers bounde by vertue of their oth which thei take whē thei be made, to geue thē in charge to enquire of al such articles & thinges which thei haue power to determine & that specially at euery generall quarter sessions, but at other yrluy sessions, vticulerlie warned, it semeth that thei are not bounde to geue such general charge, howbeit it standeth

with good equitie, ẏ the iusticers are not boūd at such priuate & special Sessions, but only to enquire & geue in charge the articles & special causes for which ẏ sessiōs was somoned & warned. Neuertheles if ẏ iurrours at such special sessiōs find any other matters thē be geuē thē in charge, it is good inough, or els if the iusticers at such priuy sessiōs geue thē a general charge of al articles, of whiche thei haue auctority to enquire, it is good & stādeth with ẏ law. Notwithstanding in somuch as the iusticers at the general quart sessiōs are boūden by their oth to enquire of al things touching good order & gouernāce of the inhabitātes of ẏ same coūty, & for the punishment of misdoers, & other offēders, vpō whō auctority is geuē to thē by the lawes of the lād, & ẏ statutes therof made, it is cōueniēt & necessary, ẏ thei at the same quarter sessiōs shall geue in charge to those ꝑsons that shalbe sworne before thē to enquire of felōs, & other malefactors, & of al other articles, wherof thei are boūden to enquire, so ẏ the iurrors shal not ꝑtēd ignorāce nor excuse thēselfes, for lack of knowledge of such thinges, as to say ẏ it was not geuē thē in charge to enquire of any such. And for somuch as neither the iusticers of the peace, nor the iurrors shal not herafter excuse thē by presēce of such ignorāce, nor for any defaut of lerning: I intēd to reherse & declare the charge, which ẏ iusticers of peace are boūdē by their oth to geue vnto ẏ iurrours to enquire of, when thei shalbe sworne. And for to kepe a certain order in geuing this charge, & to the

the intēt that the iusticers may the more easily learne and know to geue the same, it is conuenient ẏ thei begin to geue their charge, & to enquire also of those thinges, which be most haynous to god & man, & after to enquire of those that be most greuous vnto the king & his people, & thirdly to enquire of those that bee most to the greuance and hurt of the common welth and subiects of this realm. And forsomuch as heresies, and Lollardies be of al other thinges most abhominable and execrable to God & the king, and to the inhabitantes of the land, they shal begin with them, as thinges most straitly to be looked vpon in the fourme ensuing.

¶ Here ensueth statutes of whiche Iustycers of the peace haue power to enquire heare and determine by vertue of their commission & the auctority that thei haue by the same & not by the statutes, and first the statutes made at winchester the .8. day of Septēber the .13. yere of Kyng Edwarde the fyrste.

FOrsomuch as day by day robberies, murders & felonies be done, whiche wer not wont to bee, it is ordeyned that immediatlye after robberyes, & felonies done freshe suite shalbe made frō toun to towne, and coūtrey to coūtrey. And inquests shall be made (if nede be) by him that is chyefe lord of the town, and after that in Hundreds,

fresse suite.

fraunchis, and coũties, and sometime in. ii. iii. or. iiii. coũties, in case, where felonies are done in ẏ Marches or Shyres, so ẏ misdoers maye be attainted, and suffer punishment. And yf the countrey will not aunswer for such misdoers, the punishment shalbe, that the people dwellig there, shal aunswer for the hurtes done by such robberyes. So that all the hundred where the robbry shal hap to be done with the fraunchise that is within the precinct of the same hũdred shal answer for ẏ robbry done. And if the robbry be done in the deuision of two hũdreds, the both hundreds together with ẏ frañchise shall answer. And the countrey shal haue no longer time after ẏ robbry or felony done, then halfe a yere, & aft some bodkes, but. xl. dayes wythin which they must agre for ẏ robbry & offence, or els thei must be aunswerable for the bodyes of suche misdoers. Cap. i. ¶ Also it is ordeyned that in gret tounes that be closed, ẏ gates shal be made fast frõ the fũ set, vnto the fũ rysing, & that no person lodge neither in Suburbes, nor forein part of the town aboue one day, nor yet a day, if ẏ host wil not answer for hym. Ca. ii.

¶ And bailifes of townes shal make inquestes euery weke at the least, or. xv. daies, of persons lodged in the suburbes of forein part of tounes & if thei find any, that doeth harborough or receiue any maner persons, of whom suspection is had that they be offendours of the peace, the bailiffes shall do ryght therin. Cap. iii.

¶ Also watches shall be kept as of olde time hath ben vsed to be from the feast of Ascencion vnto

aunswer ẏ hurtes done by ẏ robberyes

halfe a yeare.

gate of greate townes to be closed.

lodge in suburbes

Bailiffe to enqre of them, yt lodge in suburbes.

Watches.

vnto Mighelmas in euery citie by sixe men at euery gate & in euery borough by.xii.men & in euery other town by vi.or.iiii.which shal kepe watch in the night frō the sū set, vnto the sū rising. And if any straūger passe by thē, he shalbe arested vnto morning, & if no suspecciō be foūd he shal go quite, & if he be found suspicious, he shalbe deliuered to the sheriffe, who incontinēt shal receiue him Bout daūger, vntil such time as he shalbe deliuered in due maner, & if such psons wil not suffer thēselfes to be arested, hue and crie shalbe leuied vpō thē, & the watchmē with al the town, and the next towne by shall folow them, and shal leuye hue and crye vnto suche tyme, as thei shal be taken and deliuered to the sheryfe, as afore is sayde. Cap.iiii.

¶ Also the high wayes leading from one market town to another shalbe inlarged ther, wher any wood, hedges, or ditches be, so that ther be no wood, hedge nor bush (wherin any that intēdeth to do euil may be hidden) nere vnto the high way by.cc.foote on euery side, so that this estatute shal not extend to ashes nor to greate trees. And if any robberies be done by default of cutting down vnderwods, hedges, & bushes the lord shal answer therfore, & if it be a murther, the lord shal make fine at the kinges wyl. And if the lord be not able to cut down the vnderwod, thē ye coūtrey shal help him to it. ca.v.

¶ And the kynge willeth that in his demeane woodes wythin the forestes, and without the wayes shalbe enlarged, as before is sayd. And if any parke be nere vnto the hyghe waye, the

lorde

.vj. men at euery gate in cyties.

.xij. men in burrowes

.vj. or.iiij. in euery other towne.

Highe waies.

lord therof must diminish it ye space of .cc. fe
from the high way, or els to make such a w
ditch or hedge, wherby suche as bee misdoe
may not passe backe nor forward. Cap. vi.

Armour to be kept in houses.

Also euery mā must haue armour in his hou
according to the auncient assise, and that eue
man betwene .xv. yere of age & .lx. be sworne
armour according to the quantity of their lā
& goodes, that is to say, euery mā hauing .x.li
in lād or 40. marke in goodes, to haue an haw
berke, a sallet of yron, a sword & a knife, & fr
x.li. lād, and .xx. marke in goodes, an haberge
a sallet of yron, a sword and a knyfe, & from .x
s. of land and more vnto an .c. s. a sword, bo
and arowes, & a knife. And thei that haue l
then .xl. s. of land, shalbe sworne to fauchon
splētes, knifes, & other smal weapons, and
many as are able and dwelling out of the fo
shal haue bow and arowes, and within the fo
rest bow and boltes. Cap. vii.

This statute, cap. 7. is repealed. 4°. et. 5. p. c. m. cap. 2°.

And the vieu of harneis be made twise a ye
wherfore in euery hundred, and frāchise .ii. co
stables must be chosen, to make vieu of arm
which cōstables shal p̄sēt before iustices assi
ned (whē thei come into the coūty) the defau
ye thei haue foūdē in lacking of armour, of su
of townes, of high wayes, & of suche as lod
vnknowen persons in vplandish townes, an
wyll not aunswer for their gestes. Cap. viii.

ij. Constables, in euery towne. &c.

Also sheriffes, and bailifes, within the fra
chises & without, that haue any bailiwike
forestry in fee or otherwise, shal folow the cr
with the coūtrey, according as thei be, haui
hors

Shiriffe and Bayliffe.

rse and armour that to do. And if there be a-
that wyll not so do, their defautes shalbe p-
nted by the constables, to iusticers assygned,
after to the kyng Cap.ix.

Also the kinge commaundeth that no fayre
or market be kept frō henceforth in churche-
ed for the honour of holy churche. Cap.x.

no faires in churcheyarde.

Estatutes made at Northampton the se-
cond yere of Kyng Edward the.3. and
continued vntil the.4. yere.

IT is ordeyned, that no man high nor
low (sauing the kinges seruantes in
his seruice, and the kinges ministers
in executing their offices, of ye kings
mmandemēts, & thei that be in their cōpany
ding them and also at cries made to armour
r the peace & that in places, wher such dedes
p to be done, shalbe so hardy, to come before
kigs iusticers, or other ministers doing their
fices, w force, nor to bring force, in affray of
peace, nether to ryde nor go armed night nor
ay in faires, markets, nor none other where,
pō pain to leese their armour to the kinge, &
eir bodies to prison at his pleasure. And that
e kings iusticers in their presence, sherifes &
her the kinges officers in their bailiwekes,
ignories, & frāchise, & their bailifes i thesame
d maiours, and bailiffes of city, & boroughs
d borough holders, and wardēs of the peace
ithin their wardes, shal haue power to exe-
te this accordingly. And iusticers assygned
at

X

fforce, against the peace.

armed.

fforffaite

at their commyng into the countrey shal ha
power, to enquyre how such officers & Lor
haue vsed their offices in this cause & to pu
them, that haue not done it. A°.2. E.3. cap.4.

writte delypered to the Sheriffe.

¶ Also it is agreed, that, at whatsoeuer ti
or place within the county, any person dely
writs to the sherife, or vndersherife, that t
shal receiue thē, & make a bill according to
forme cōteined in the statute of westminster
cond without takyng ought, & if thei refuse
make a such a bil; other that be present shal p
to their seales. And if ẏ sherife & vndersher
do not returne the writ thei shalbe punished
the forme cōteined in ẏ saide estatute. Neu
theles ẏ iusticers assygned to take assises h
power to enquire therof vpō euery compl
and to warde damages hauing regarde to t
delay, and to the losses, & perilles that my
haue chaunsed. An.2. Ed.3. Cap.5.

Hundrede and wapentake.

¶ It is agreed that Hūdreds and wapētak
shalbe adioyned to counties, and that frō hē
forth, such hundreds, and wapentakes shal
be seuered from counties. 2.3. Cap.12.

ffaires.

¶ It is agreed that euery lord at the beg
ning of his faire, shal cause a crye to bee ma
there, how lōg he shal hold his faire, so ẏ m
chātes shal not be in ẏ faire aboue the tyme
pclaimed, vpon pein to be greuously punis
by ẏ king. And the Lordes shal not hold th
faires aboue the right time, vpō pain to fo
their faires into the kinges handes vntyl th
haue made fine to him, so that it be first du
pued, ẏ thei haue kept thē aboue ẏ right ty

that the marchantes haue been there aboue
e time so cried. An. 2. Ed. 3. ca. 25.

Moreouer good people shalbe assygned in
ery countye to kepe the peace, and thei which
ue been endited, or take by the said gardeins,
all not be put to maynprise by sheryfes, nor
y other officers, if they be not mainpernable
the law, nor such persons endited shal not be
liuered, but at the common law. And Justi-
es of gayle deliuerye haue power to deliuer
yles of those that be indited before gardeins
the peace, & the said gardeins shal send their
ditementes before the said Justices, & haue
wer to enquire of sherikes, gaylours, & other
whose warde suche indited persons bee) yf
ey deliuer or let to mainprise any person so
dited, whiche is not mainpernable, & to pu-
ishe the sherikes, gaylours, and other in case
here thei doe any thyng contrary to this or-
inaunce. 4. Ed. 3. Ca. 3.

Also it is agreed ỹ puruetours for the kinges
or the quenes houshold shal not take corne, bi-
aile, hey, nor other goodes, nor chatels, nor ca-
iage against the will of thē to whō such goods
carriage are belōgig, & ỹ thei shal take corne
by measure, and that al thing to be takē for the
same houshold, shall from henceforth be taken
at the very value by constables, & other honest
persons of the towne, without manasyng, and
that paimēt be made therfore, before that ỹ king
passe out of the vierge & ỹ thei haue ỹ warrāt
under seale, before thei take ought, & thei shall
take no more thā is needful for ỹ kinges house.

and

. Justices of ỹ peace
to be assigned in
euy countye.

. puruoyours.

and that thei shal take nothing for thē that
in wages with the king, ne for any other
any take ought, cōtrary to his warrāt, &
it awaye againste the will of him, to whom
goodes belong, he shalbe taken incontinēt,
sent to the next gaile, & if he be attainted the
pō, he shalbe ordred, as a thefe. 4. E. 3. cap.

passage by wats.

A horsmā at douer shal haue his passage o
the sea for. 2. s. and a foteman for. 6. d. and in
other passages, as wel on fresh waters as
armes of the sea, the passers shal pay as of
time hath ben vsed; & the kepers of the pass
shal take nomore. And iusticers of assise in
same county haue power to enquere if any
contrary, and to punysh & do right at the su
of the king, or of the party quarto. E. 3. cap.

Shiriffe and gaolores.

Sherifes and gailours, shal receiue and sa
ly kepe theues to thē deliuered by constables
townshippes, without taking ought for the
ceiuig of thē. And iusticers assigned to deliu
gailes, haue power to heare the plaintes of
that will complain of sherifes, & gaylours,
suche cases, and further to punish them in ca
they be found giltie. 4. Ed. 3. cap. 10.

maynteynors, vndertakers, conspirators, champertors.

Iusticers of either benche, and Iusticers
assise at euery time that they shal come to ta
enquest of (nisi prius) as wel at the suite of
king as of the party, shal enquire, heare, and
termine of mainteinours, vndertakers, cons
ratours, and champartours, as farforth as iu
stices in fee should dooe, if they wer in the co
tye. 4. Ed. 3. Cap. ii.

Shiriffe.

Sherifes shal lease their hundreds and wa
pentakes at the auncient ferme and not abou
and

and Iusticers assigned haue power, to enquire of sherifes, and to punishe, whom thei shal find doyng contrary. 4. E. 3. cap. 15.

Statutes made at Canterbury the. 12. yere of Kyng Rycharde the second, touching seruantes and labourers.

This of Ric. 2. is repealed. 5. Eliz: cap. 4.

IT is ordained that artificers, labourers, seruauntes and vitailers shal be duely iustified by iusticers of peace, aswel at the suit of the kyng, as of the city according to ye statutes therof made. And that mayours, bailyfes, stewardes of lordships and cōstables of townes, shal execute their offices duely, touching such artificers, labourers seruauntes and vitailers. And that stockes be in euery towne, to iustify the same labourers & seruauntes, and that no seruaūt or labourer at the ende of his terme depart out of the hundred, Rape, or wapentake, to dwell anye other where, except he bring a letter patent concerning the cause of his departure, & of his returne (in case that he must returne) vnder the kinges seale, that shalbe assigned therto, and deliuered to the keping of some honest mā of the hūdred, rape, city or borough, at the discreciō of the iusticers of the peace. And yf any seruaunt or labourer be found in any citye, borough, or other where, cumming from anye place vagarante, without suche a letter, he shall be taken forthwith by the Mayours, Baylifes, Stewardes, or Constables, and putte in stockes, and kepte

Artificers, Labourers, Seruaunte, Vytallers.

Stocke in euery towne.

vagarante.

vntil

vntil he haue foūd suertye to returne vnto hy
seruice, or els to serue & labor in the town fr
whēce he came, vntil he haue such a letter to be
part, for cause resonable. And if any bryng an
such letter, ẏ is forged, he shal haue forty dey
imprisōmēt, & ouer that vntil that he haue fou
suerty to returne and to serue as before is sai
And that none receiue any seruāt going out o
the hundred, citye, or Borough, without a le
testimonial, nor w a letter, aboue one night e
cept it be, because of sicknes, or sōe other ca
reasonable, or that he may serue & labor the
the same testimonial, vpon a pain to be limit
by the Justicers of the peace. And as wel ar
ficers, and men of occupacyon, as seruauntes,
apprentices, beyng not of any great substau
and hauynge no great busines, shal be cōpel
to serue in August, to reape, gather and bri
in corne. And that this estature be duely exec
ted by Maiours, baylyfes, stewardes, and c
stables of townes, vpon paynes to be limitt
by the Justicers of the peace in their Session
and that none take aboue one peny for sealy
and deliuerynge of suche a letter anno. xii. Ri
chardi. iii. Cap. iii.

forged letter.

testymoniall.

harvest worke

No seruāt of husbādry, nor of any artifi
vitailer, shal beare sword, dagger, nor bassa
vpō pain to forfeit it: vnles it be ī time of w
for defēce of ẏ realm, by suruew of tharray
for ẏ time, or traueling by ẏ coūtrey with th
masters or on their masters messages, but sh
vse bowes & arowes on sūdais, & other day
festiual, & shal leaue al other games, aswel wi
han

no wepon to be worne. &c.

Bowes & arrowes to be vsed.

hand as wfote. And shyriffes, mayours, baylyffes, & constables, haue power to arrest such offēders, & to sease theyr bastardes, daggers, & swerds, aforesayd, & to kepe and present them before the Justicers in their sessions, with the names of them, that bare thē. xii. R. ii. ca. vi.

None neyther Englishe, ne walshe, shall not bringe anye vittayle, nor armoure into wales without the kynges speciall lycence, if it be not for the stuffe and store of castels or walled townes, vpon payne to forfayte the same armour, and vytaile. And in euery part of the marches of wales, and market Townes there aboutes, there shalbe Constables chosen for to enquyre, serche and to arrest all such vytayle, and armour, which Cōstables shal haue the syxte part of the forfayte, for theyr labours, quarto. H. iiii. cap. xxix.

Also it is ordeyned, that such a one, as vseth to laboure at the plough or carte, or other labour in seruice of husbandry, vntyll he be. xii. yeres of age, shal frō hēceforth abide at ẏ same labour, & not to be put to any craft or mystery. And yf any couenaunte or bonde of apprentyshyp be made herafter to the contrarye, it shalbe holde voyde. xii. R. ii. cap. v.

Touchynge suche as go a beggyng, and are able to serue, they shalbe ordered in lyke maner as they whiche departe out of theyr hundred, without a letter testimoniall, as before is sayde, except men of religion, and hermittes hauyng letters testimoniall of the ordinaries, and impotent beggers, dwellynge in Cityes,

no armour, nor vytailes to be caryed into wales

Laborers in husbandry, [redacted] vnder. xij. yeares age.

Repealed. 5°. Elizab: cap. 4°.

stoute beggers.

ties and townes where they were abydynge at the time of this estatutes proclaymed, or in the towne where they were borne, and dwelled there continuallye, durynge their lyues. And suche as go on pilgrimages, as beggers, and be able to trauayle, shalbe ordered in like maner, except they haue testimonials of their pilgrimage vnder the seale aforesayd, and clerkes of the vniuersites that go as beggers hauing lett testimonial of their Chauncellor, vpō the same peyne. xii. R. ii. cap. vii.

Also those that feyne thē selues to haue trauayled out of the Realme, and to haue ben imprisoned, they shall bringe letters testimonial from their Captaines, with whome thei were, or els of the maiours or bailiffes, where they arryued, and the same Maiours and Bailiffes shal enquire of such persons, where they dwelled, and wyth whome, and in what place of England theyr abydynge is. And the same Mayours and Bayliffes shall make theyr letters patentes vnder the seale of their office, witnessinge the daye of the arryuall, and also whether they haue stande to that they haue sayde. And the sayd mayours and Baylyffes, shall cause them to swere, that they shall take the right way towardes theyr coūtries, except they haue a letter patente vnder the kynges grate seale otherwyse to doe, and if any suche traueling men be founden without such letter, he shalbe ordered in lyke maner, as seruaūtes and labourers aforesayde. xii. Richardi secūdi. cap. viii.

men / namynge themselfe trauaylers!

An

¶ An estatute of Henry the fyrst for washyng and clypping of money.

¶ It is ordeyned that washynge, clypping and fylinge the money of the lande, shalbe iudged treason, and they that so doe, shall be iudged traytours to the kynge and to the Realme. iiii. H. v. ca. vi. Note that the statute which giueth auctoritie to Iustices of the peace to enquire therof is written before.

washinge, clippinge & fylinge of money

¶ Statutes concerning Forestallours, and fyrst the olde estatutes made in the time of kinge Edwarde the fyrst.

forstaller.

BE it commaunded on the kinges behalfe, that no forestallour be suffred to dwell in any towne, who meetynge wyth corne, fysshe, hearrynge, and other thynges to be solde some tyme by water and sometyme by lande, preaseth to bie them before other, coueryng after vnlawful gaynes, whiche vnder suche maner carieth the goods away vntruely, intendyng to sell them more deare, whiche also circumuenteth straunge marchauntes, offerynge sale of theyr wares and enkournynge them, that they maye sell their goodes more deare, then they intended to sel, by whiche crafte and subtilty an whole towne or countrey is deceyued, whosoeuer is conuicte therof, shall fyrste be amerced, the seconde time he shall suffer Iudgement of the Pyllory, the thyrde tyme, he shall be imprisoned and make fyne, the fourth tyme he shall abiure the towne. And this ordinace shalbe obserued, for all forestallours and for

them that gyue counsayle or assystence vnto them. And it shalbe enquered if any steward, or Bayliffe haue remitted the iudgemēt of the Pillori, or tumbarel for any reward, where it was adiudged, or of right ought to haue ben adiudged. i. E. i. The treatyse of forstallours is in the latter ende of (Magna carta.)

¶ The statutes of Edwarde the thirde concerning forestallours.

forstallers.

IT is ordeined, that forestallours of wines, and of al other vittailes, wares, and marchaundise, commynge by lande, or by water to any good townes of England, yf thei be atteinted therof at the suite of the iustices, therto assigned, or otherwhere in the kinges court, in case they be atteinted at the kinges suite by inditement, or otherwise the thinges forstalled shalbe forfayte to ye king, if the bier haue contented the seller therefore, if he haue not agreed for al, but by ernest, the biar shal forfayte as muche, as the goodes forstalled amounte vnto, accordynge to the value, that he hath bought them at, if he haue wherof, and if he haue not, then to haue two yeres imprisonment, and after at the kynges pleasure, without beynge let to mainprise. And if he be atteinted at the sute of the partie then shall the partie haue the one moitie of suche forstalled geare forfayted, or the price of the kynges gifte, and the kynge the other moytie. Vicesimo quinto. Ed. 3. cap. 3.

. Wolles.

No denisen of England shal bye no wolle

but of the owners of the shepe, and of the dryers, excepte in the staple. And that no denizen shall regrate wolles, nor other marchaundyse of the staple prively nor openlye, vppon payne to forfayte the value of the thynge regrated. And Justices of the peace in the countrey haue power to enquyre from time to time of such Englishe regratours and of ȳ weights of the staple, & shal punyshe them by the peyne aboue limitted. And that no manne engrosse nor bye any wolle, but for hym self and to hys owne vse, or to sell to the staple, or to make clothe. xiiii. Ri. ii. Capi. iiii.

· Regrate ·

· Engrosse ·

The Justices of eyther bēche, iusticers of assise (& nisi prius) at al their sessions shall enquire, heare and determine, aswell at the suite of the kynge, as of the partie, of aliancis, confederacies, and conspiracies, of meyntenours of parties, plees and quarels, and concerninge al suche meintenours, vndertakers, conspiratours and champartours, they shall do as farforthe as iusticis in eyre should doe. And that which cannot be determined before thē there, should bee adiourned into the places, where they be Justices, and be determined there.

· maintaynors · vnderfakers · conspirators · champertors ·

In eyght of conspiratours, false entermedlers, and champartours of boseins, Inquestes Assises and turies, the king hath prouyded remedy for euery playntif, by a writ out of the Chauncery, and at the least he will that his iusticers of eyther benche, and iustices of assise (when they shall come into the countrey) shall make their inquestes therupō, to enquire with

out writ, & shal without delay do ryght to the
plaintife. The paine limitted for maintenours
appere in the statutes therof made (articuli su-
per cartas. c. xii. Statutes against vittailers.

Bouchers, Fishers, Inholders, Brewers,
Bakers, Poulters, and all other sellers of vi-
tayle are bounden to sel their vittailes at a re-
sonable price, hauinge regarde to the prys
where at suche vittailes are solde in places
nere, so that the sellers may haue moderat
gaynes, and not excessiue, as it shalbe thought
resonable by the distance of the places, from
whence suche vittailes are caried. And if any
sell vittayle otherwyse, and therof be convic-
ted, he shall paye twyse as muche as he hath
receiued to the party damaged, and in defaut
of hym to any other, that will sue. And May-
ours and Baylifes of Cities, Boroughes,
market townes, and other, and of portes and
places nere to the sea, haue power to enquire
of all, that offende agaynst this ordinance and
to leuy the payne aforesayde, to the vse of the
at whose suite they shalbe convicte. And in
case the same Mayours and Baylifes be ne-
ligent, and be thereof convicte before the Iu-
stices assigned by vs: thē the same Mayours &
baylifes shalbe cōpelled by the same Justices
to paye the treble va lue of the thing so solde
to the partie damaged, or in defaute of him to
any other that will sue, & they shalbe greuously
punished by vs. xviii. E. iii. Cap. vi.

In right of vittailers it is agreed that they
shal haue a reasonable gayne accordinge to the
discreci

discreciō of Justices of the peace, & no more, vpon payn to be punished after the discrecion of the sayd Justices, in case where no payne certayne hath bene before limitted agaynst the saide vittailers. xiii. R. ii. Cap. viii.

Euery mā ẏ bringeth any maner of vittaile to London by lande, or water, may sel the same frely wout disturbāce of any. And the mayour & Aldermen may rule & redresse the defautes of fishers, bouchers and pulters, as they doe of thē that sell bread, wine & ale, and the sayde mayour and Aldermen shal doe & put this ordinaunce in execution vppon the peyne ordeined touching ẏ Citie of Lōdon. 31. E. 3. Ca. 10.

The Chaūcellour and Tresorer taking to thē the Justices, and other of the kynges coūsayle, haue power to ordeyne remedy for bieng and selling of stockfyshe of S. Botulgh, and samon of Barwyke, and wynes and fishe of Bristow, and other places. xiii. E. iii. Cap. iii.

¶ Statutes agaynste rauishers of women.

It is prouided, that if a man rauishe any maried woman, mayden or other woman (where she did not assēt neyther before, nor after) shall haue iudgement of life, and lymb. Likewyse where a man rauysheth anye woman maried, mayden or other woman with force, albeit that she assent after to the rauishour, he shall haue iudgement of life, & limb, if he be atteynted at the kinges suite, Westminster. ii. Cap. iiii.

If any such woman after such rape cōsent to any such rauyshours: in the case it is ordeined that the next of the bloud to whom the in

vyttaile brought to London.

stockfishe. Samonde. wynes. ffishe.

Rape.

Rape.

heritaunce, dower, or ſoynt feoffement ought to diſcēde, reuert, or fal after the death of hym that rauiſheth, or her that is rauiſhed, ſhall forthwith and immediately haue tytle to entre vpon the rauiſhour, or her that is rauiſhed & their aſſygnes, and lande tenantes. And the huſbandes of ſuche women (if they haue huſbandes) & if they haue no huſbandes ſyuyng the their fathers or other next of their blood ſhall haue the ſuyte to purſue, and may ſue gaynſt the ſame rauyſhours, and therupon to atteynte them of life and lymb, notwythſtandynge that the ſame women doe conſente to the ſame rauiſhours. vi. Richardi. ii. Cap. vi.

Takinge of women agaynſte theyr will.

What perſon taketh anye woman agaynſte her wyll, mayden, wydowe or wyfe, ſuche takyng, procuring, or abbetting to the ſame, and alſo receyuyng wityngly the ſame woman ſo taken & knowing the ſame, is felony. And ſuch takers, procuratours to theſame, and receptours knowinge the ſame offence in fourme aboue ſayde, be adiudged as principall felons. Anno tertio Henrici ſeptimi. Cap. ii.

felonye.

Robberies.

Hue & Cria.

It is ordeyned that where Marchaunte ſtraungers be robbed, that hue and crye ſhalbe forth with ſolēpnely made in al counties, hundreds, markets, faires, or other places (where greate reſorte of people ſhalbe) ſo that none ſhall pretende ignorance, and that euery countie be ſo kept, that immediatly after robberies and felonies done, freſhe ſuyt bee made from towne to towne, & from countrey to countrey. And Inqueſtes ſhalbe take in townes fraun-

chyſes

chises & Counties, and sometime in two, thre or foure countyes when felones be doone in the marches of coũtyes, so that misdoers may be atteynted. And if the countrey wyll not answere for suche mysdoers: then the hundred where the robbery was done with fraunchyse within the same hundred, shal answere for the robbery, & if it be in the dyuyson of two hundreds both the hundreds together, with the fraunchise that is wythin them shall aunswere therfore, & that they shal agree for the robbery within fortye dayes, or els to take the bodye. xxviii. E. iii. Cap. xi.

None shall take in hand any other quarels then his owne, nor shal maynteyne thẽ openly nor priuely by him selfe, nor by anye other, for any gift, promise, amite, feare, fauour or hatred nor for any other cause, in disturbaunce of the lawe or hinderance of right, vpon peyne to be at the kynges wyll both body and land. xx. E. iii. Cap. iiii.

takinge other mens quarelles in hande.

It is enacted that no person other thẽ marchauntes aduenturers to Iseland, or that bee doggers called doggermẽ, or suche that be fyshers that actually labour to take ling, haberdyne, Lobfyshe, & suche other kynde of fyshe in the east sea side, or east sea cost, shal bye anye of the sayd kindes of fyshe, at or vpõ the stone or at the east sea side, or els sea costes, to sel the same fyshe agayne, or any parte thereof at any of the faires of sturburge faire, saint Iues fayre, or Ely fayre. And that no maner person (other then the sayde marchauntes aduentu-

fishe.
& fisshers.

rers

rers, doggers of fishermen) shall sel anye salt-
fishe, stockfishe ling, haburdē, lobfishe or suche
other kinde of saltfishe, at or within any of the
sayd fayers wherof the kynde of the sayd fishe
is wonte to be layde vpon lande of the East
Sea syde.

Nor no person being owner of any shyp or
shippes, nor any maisters of the saide shippes,
shall bye anye dole or doles of the mariners of
any of ẏ said ships called ẏ mariners dole fish.

Nor no person shal forstal or bye any of the
sayd fishe, in cōminge into the fayre or fayres:
to sel the same agayn in any of the sayde fayres
excepte it be to be eaten, and spente, durynge
the time of the sayde fayre.

Salte fishe.

And that no person bye any stockefish, salt-
fishe, linge, haberdyne, lobfishe, or anye other
kind of saltfishe within the said faire or fayers
except it be to be spent within the sayd fayres,
duringe the sayd fayres, vpon peine of forfay-
tinge of the same fishe so forstalled bought or
regrated, half to him that wil cease or take his
action or suit for the same, in the same fayres
or in any other of the kings courtes of recorde,
in whiche action no wager of law, essoyne, nor
protection shalbe allowed.

And that none of the marchaūtes vēturers
doggermē or fishermē, shall bie any fishe at the
stone, at the east sea syde or sea coste, to sel a-
gayne the same fishe in the sayd fayre or fayres
by couin or fraude, to the vse of any person, o-
ther then for their only vse vpō like paine as
is before said. And ẏ euerye of the kinges sub-
iectes

iectes may haue like auaũtage by seasure of ẏ same fishe, or by way of action. And that no ꝑson be taken to be a marchaunt aduenturer to take aduantage by this acte, excepte his aduenture in the ships to Iselande shall amount to the somme of .xx.li. without fraude.

Prouyded that fishers dwellinge in anye place by north the riuer of Hũber to vse their craft in selling of fishe by thẽ taken by northe the ryuer of Hũber as beforesayde. And that the biers of the same fishe, may sell the same in any of the sayde fayres, this acte notwythstanding. An. xxv. H. viii. cap. iiii.

Where as householde seruauntes after the death of their lordes, and maysters haue ryotously takẽ the goods of their sayde maysters and departed thẽ amonge themselues, it is ordeined that after informacion made thereof by their executours vnto the Chauncellour of England, he shal haue power to make such, & so many writtes directed to such Shiriffes, as & what he shal thinke necessary, to cause ꝓclamacion to be made in Cities, townes or places by .ii. market dayes within .xii. dayes, nexte after the deliuerãce of the same, that the same malefactours must appeare before the kynge in his benche at the daye of the writ limitted, so that the last ꝓclamacion be made .xv. dayes before the day of apperãce. And in case ẏ sayd writ be retourned at the daye, and executed: so that proclamacion hath ben made accordinge to this ordinaunce, and the defendaunte make defaute, he, that so maketh defaute, shall be

be atteynted of felonye. Anno vicesimo tertio Henrici septi. Capitulo primo.

Fayres and Marckette.

The kinge hath ordeyned that al maner of fayres, & markets to be kept in the feastes of Assencyon day, Corpus Christi day, whitsonday, Trinite sonday, with other sondayes, & in the feast of the assumption of our Lady, & good Friday, they shall vtterly cease frō al shewing of any goods, or wares (necessary vitayles, excepted) vnder payne to forfayte al the goodes aforesayde so shewed, to the Lorde of the fraūchyse or lybertie (where suche maner of wares is shewed) foure sondayes in harueste except. And if they haue no day to kepe their market or fayre vpon, then shall they kepe it within thre dayes next after, or before the sayde feastes. This ordinaunce to endure vnto the next parliament, and so from thencefoorthe, onlesse some reasonable cause be proued in the sayde next Parliament, wherby it may seme not expedient: that this ordinaunce should so endure xxv. H. vi. Cap. v.

Impotent psons.

The statute made for impotent persons in the. xxii. yere of Kinge Henry the eyght, howe they should beg and be ordered, shalbe perely redde in the open Sessions, to the intent that ỳ same statute shalbe more feared, & the better put in execution. An. xxii. H. viii. Cap. xii.

Wytaylours, Inholders.

If any Inholder do contrary to the statute of wytaylours and Inholders, made the. xii. yere of Richarde the seconde, & the same duly proued: he shal incurre the payne of the treble value of the bread made by him in his house,

or

or other where, contrary to the statute, & more ouer shall forfaite .iiii. times the value of that, that he hath take, aboue one halfpeny of euery bushel of otes, aboue the common prise in the market, aswel at the sute of the party, as of the kynge. An. iiii. H. 4. Cap. 24.

Justicers of assise shall enquire of shyriffes. Eschetours, Bayliffes of franchises, & theyr ministers. Also of maintenours, common Assisours, and Jurours in the Countrey, that is to say of gyftes, rewardes and other profites, whiche they shall take of the people for doinge theyr offices, & of that, that belongeth to theyr offices, whome the Justicers shal punishe aswel at the sute of the party, as of the kynge.

Justice of assise.

Justice of peace

to enquire of offices &c.

And it semeth, that the Justicers of the peace by their cōmission haue lyke power, to enquire and determine suche matters at the kinges sute. An. xx. E. 3. cap. 6.

They, that burne houses of malice, because that the owners of suche houses, will not laye certayne summes of money in suche places, & at suche times, as to thē is specified in certain bylles caste into their houses: shalbe adiudged Traytoures, and the offence is made hyghe Treason, sauyng to the chiefe lordes theyr Escheates. An. octauo Henrici sexti. cap. vi.

burnings of houses

Also it is ordeined, that none shal vse to multiply golde or syluer, nor vse the crafte of multiplicacion, and yf any doe, he shall incurre the payne of felonye. An. v. H. iiii. cap. iiii.

multyplication is felony.

They, that cut the tonges of any persons, or put out theyr eyes of malice prepensed, shal incurre

cutting of mens tonges or eyes.

is felonie.

curre the payne of felonye. An.v.H.iiii.cap.
¶ Here endeth the statutes wherof Iustices of the peace haue power to enquire by vertue of theyr commission.

¶ The auctorite and power of Gardeyns, & Iusticers of the peace by diuers estatutes beside theyr Commission, and syde the statute of Edwarde the thyrde.

god or ride armed.

NOne shall go nor ride armed by daye nor by night, vpon peyne to leese their armour to the kyng and their bodies to prison at the kinges wyl. And the kinges Iusticers to their presence. Shiriffes and other the kinges officers, Lordes of Fraunchyses, and their Bayliffes, Mayours and Bayliffes, of Cities and Borroughe holders, and wardeyns of the peace haue power, to doe execucion hereof accordyngly. And Iusticers assigned at their comming into the Countrey haue power to enquyre, howe suche ministres and other haue vsed theyr office therin, and to punishe them, that haue not done as to theyr office appertayneth. An.ii.Ed.iii.cap.3.

Iustice of peace.

In euerye Countie, good and lawfull persons muste be assigned to kepe the peace, and Iustices assigned haue power to enquire vpo shiriffes and to punishe them, if they let their Hundredes or wapentakes aboue the auncient ferme. quarto Edwardi.iii.cap.xv.

If a Iurour in an enquest take of the one partie

partie, or the other, the Justicers (before whom the inquest passed) haue power to enquire, and determine that. And if any be atteinted therof he shall neuer after be put in any inquest, but shalbe sent to prison, and to make fine at the kinges pleasure. An. v. E. iii. cap. decimo.

Justicers assigned to heare and determyne felonyes shall make their writtes throughout all the shyres of England to take them that be indited in the same countye, and dwell in an other countie. An. v. Ed. iii. cap. xi.

Justicers of assise, of Oyer & determiner and other Justices shall send their recordes euerye yere into theschequer, & the chamberlaine and Treasorer shal receyue them of the iusticers or vnder their seales, & firste the extreates of thē shalbe deliuered to thescheker. An. 9. E. 3. ca. 2.

Gayles must be in the kepinge of shyriffes as hath been wonte to be, and they shal put in suche kepers for whō they will answere. And if the keper of any prisō or vnder keper by duresse or payne cause any prisoner being in his custodie to become an Appeallour against his wil, and therof be atteinted, he shall haue iudgement of lyfe and membre. And the Kinges Justicers (before whome any suche case shall happen) shal enquire therof, and if he be foūdē giltie, then to haue Jugement of life & membre. An. quarto decimo. E. iii. cap. x.

Two or three of the most best of the countie shalbe conseruatours of the peace by commission, and they shall haue with them other lerned in the lawe in comission, to heare and determine

termine felonies and treſpaſſes. Anno decimo octauo Edwardi tertii. cap. ii.

commyſſyonde.

An Eſtatute was made to punyſhe commyſſioners, and to cauſe them to come to accompt that were commiſſioners to aſſiſe meaſures, elnes and weyghtes, but that eſtatute is determined wherby it is proued that cõmiſſioners ſhall not be punyſhed. Anno. xviii. Ed. iii. Capitulo. iiii.

Seruaunte, and Laborde.

All ſeruauntes ſhall take lyuerys, & wages accuſtomed the twenty yere of Edwarde the thyrde, or foure yeres before, and they ſhall be allowed to ſerue by the whole yere, or by another terme vſuall, and not by dayes. And in makinge hey, none ſhall take but a peny by the daye, and for mowynge of Medowes fyue pens by the daye, and repars of corne for the fyrſte weeke of Auguſt two pens, and for the ſeconde weeke three pẽs, and ſo at the ende of Auguſt and in ſuche counties where it is vſed to gyue leſſe, to take leſſe without meate and drynke and they ſhall beare their inſtrumẽtes in their handes openlye at Market townes, and they ſhalbe allowed in an open place. Anno. xxv. Ed. iii. Cap. i.

Repealed. 5. Eliz. cap. 4.

Repealed. 5. Eliz. cap. 4.

For threſhyng a quarter of wheate, or Rye two pens halfepeny, and for Barley, Otes, Peaſe or Beanes, three halfepens, if ſo much haue ben vſed to be gyuen in the Countrey. And where it hath ben vſed to mowe by the ſheffe, and threſhe by the Buſhel, none ſhall take more, nor otherwyſe then was vſed the ſame. xx. yere, and before, & the ſame ſeruaũt

shall make an othe twise by the pere before the Lordes, Stewardes, Bailykes, and Constables, of euery towne to kepe this ordinaūce, & that none of them shall depart the town where he dwelled in winter/for to dwell in Somer, in case he may haue seruice in the same towne, taking as is afore limitted. Sauing the people of the counties of Staffordе, Lancaster, Darby and Crauen, and the marches of wales, and Scotlād, may come in haruest time to labours in other counties, & safely to returne. And such as refuse to serue shall be put in the stockes by the saide Lordes, Stewardes, Baylykes, and Constables of townes, by the space of foure dayes or more, or els be sent vnto the gayle vntyll they wyl be ordred. And that stockes be in euery towne. An. xx. d. E. iii. cap. ii.

A master Carpenter shall take. iii. pens, by the day, and another carpenter two pens, and a master mason foure pens, and another masō thre pens, and their seruauntes thre halpens, a Tiler thre pens, and his seruauntes thre halfe pens, and other workmen of ferme, and strawe thre pens, and their seruauntes thre halfpens. An. xx. d. Ed. iii. cap. iii.

Repealed. 5° Eliz. cap. 4.

Playsterers and other woorkemen of mudwalles, and their seruauntes shall take in lyke maner without meate and drinke from Easter vnto Mighelmas, & after that, lesse, according to the appointment & discretion of the Iustices, that therto shalbe assygned. Anno vicesimo quinto. Ed. iii. cap. iii.

Repealed, as is aforesaid.

Repealed as is aforesaid.

¶ Thei that make cariage by land or by water

shall take no more then they vsed the saide .xx. yere, and foure yeres before. Anno .25. E. 3. cap. 6.

Repealed. 5°. Eliz. cap. 8.

Cordiners and shomakers shal not sell any bootes or shoes otherwyse then they didde the saide twenty yere and foure yeres before. anno vicesimo quinto Edwardi. iii. cap. iiii.

Repealed. 5°. Eliz.

Goldsmithes, Sadlers, horsesmithes, spurriars, Tāners, Coriers, Tawers of lether, Tailours and all other workmen, artificers, laborers seruauntes, shall make an othe before the Iusticers to do and vse their craftes and occupacions in maner as they dyd the sayd twenty yere, and after such oth, if thei do contrary, thei shalbe punished by fine and raunsome, and imprisonment at the discrecion of the sayde Iustices, Anno vicesimo quinto. E. iii cap. v.

parte of this statute is repealed. 5°. Eli. ca. 4.

Stewardes, Bailifes, and Constables of townes shall sweare before the Iusticers to enquire by al wais that thei can, of al suche as shal offend against this ordinance, & to certifie the same iusticers of their names, at all tymes when thei shall come into the countrey to kepe their sessions, so that ye said iusticers vpō suche certificat made shall cause suche offēders to be attached by their bodies to answer of their cōtemptes, and if they be attainted, to make fine & raūsom, & to be cōmitted to prison, vntil thei haue foūden suerty to serue, and take for their worke doing, or wares to be sold in maner aforesayd. And in case that any of thē do cōtrary to his othe, and be attainted therof, he shal haue forty daies imprisonment, and the .ii. time one quarter of a yere, & so at euery time that he

shal

shall be conuict, to haue his penaũce doubled. And the same Justicers at euery time that thei shal come into the countrey/shal enquire of the said stewardes, bailifes, and constables, if they haue made good and lawfull certificat, or haue counsailed any for gift, procuremẽt, or affinity & do punish them by fyne & raunsome, if they be founden gilty, & the same iusticers haue power to enquire & make punishmẽt of the sayd ministers, workmẽ, labourers and other seruaũtes whosoeuer thei be, and also of Inholders, Habergers, and them, that sel vitaile by retayle or other thinges aswell at the suit of the party, as by proces, and to heare and determine the same thinges & to put them in executiõ by an exigẽt after the first Capias, & to depute vnder them so many and such as they shall thinke best for the kepinge of this ordinaunce. And they that will sue seruauntes for takinge excessiuely of them, & attain them in the same suit, shal haue again ẏ, ẏ was takẽ excessiuely. an. ii. 5. E. 3. c. 6

The Justices shal kepe their Sessions in all coũties. iiii. times in the yere at the least according to their discretiõ. Also thei, that speake in aboldishmẽt & maintenaunce of seruauntes, laborers, or artificers, cõtrary to this ordinaũce shalbe greuously punished at the discrecion of the said iusticers. And if any seruaunt flye from one county to another/the sherife of the counties (where such fugitiues shal be foũden) shall cause them to be taken at the commaũdement of the Justicers of that countye/from whence thei fled, & to bryng them to the chiefe gaile of

vyctellers, & Inholders.

Sessions of Justice

Seruaunte.

parte of this is repealed 5° Eliz. cap. 4.

the same county there to remain vntil the next
sessiõs of the same iusticers. And ỹ sherifes shal
returne the said cõmaũdemẽtes before the same
iusticers at their next Sessiõs. And this ordi-
nãce shal hold place i Lõdõ, & other tounes, as
wel withi franchise as without. 25. E. 3. cap. 3.

Clergie.

The iustices shal deliuer clarkes, that haue
taken them to their clergy, immediately with-
out remitting them again to the gayle. In. di-
cessimo quinto. Ed. iii. cap. v.

Authorityd of Iustice of peace.

In euery county shalbe assigned for the con-
seruaciõ of the peace, one lord, & foure or three
of the best of the county together wt some learn-
ned in the law, and shal haue power to distrein
misdoers, riotours, and al other baratours, &
to pursue, arest, take and chastise thẽ accordyng
to their trespas, and to imprison & duely to pu-
nishe them as they shall thinke best to be don
by their discretion, and also to take of al such
as be not of good fame, sufficiẽt suerty & mam-
prise of their good abearing and also to heare &
determine al maner of felonyes, and trespasses
done, in the county at the suite of the king, and
that the fines be reasonable, hauing regarde to
the quãtity of the trespas & the cause, wherfor
thei wer done. In. tricesimo quarto. E. 3. cap. i.

Extendor of Iustic.

One shall not be charged by the Extretes of
iusticers for the goodes of fugitiues & felons,
but may shew, that other be chargeable ther-
with. In. tricesimo primo. E. 3. cap. iii.

Panelles.

Al panels must be made of the most next in-
habitauntes, which be not suspected nor procu-
red. And the sherifes, Cozoners, and all other
officers

officers doyng cōtrary, shalbe punished before thesame iusticers, that shal take the inquest, according to the quantity of ye trespas, as wel agaynst ye king, as ye party, for the damage, that he hath suffred. Anno tricesimo quarto. Ed.3. Cap.iiii.

They, that shalbe assigned, to kepe the peace, haue power to inquire of measures & weights according to ye statute made. an. vicesimo quinto. E.3. which wil, that weightes auncel be vtterly put away, and that thei shal sel by balāce, and that a sacke of wolle shal wey sixe & twēty stone, and euery stone to weye fourtene. li. & that, the beame of the balance bowe to neyther side, & that ye weightes be according to the stādard, & if any byer do to the cōtrary, he shalbe greuously punished at ye suite of the king, or of the party. An. tricesimo.4. Ed.3. Cap.v.

measures and weyghte.

Al measures through Englād, shalbe according to the standard, & euery measure shall be strikē without hepe, sauing the rētes & fermes of lordes, which shalbe measured by such measures as thei haue ben wont. And purueiours for ye king & the quene shal make their purueiances by ye same measures rased in like maner. And conseruatours of the peace shal punish al thē, that do cōtrary. An. tricesimo.4. E.3. ca.6.

measures.

In euery plee (wherof the inquest of assise shall passe) if any of the parties wil sue against any Jurrour, for that he hath taken any thing of his aduersary for geuing of hys verdite, he shal be heard and shall haue his plaint alowed forthwith by al afore thesame iusticers (before

Jurrour, in assise.

whom thei toke their oth) and the same Jurye shalbe put to answer without any delay, and if they plede to an enquest, it shalbe take cõtinuet. And if any other thẽ ỹ party, wil sue for ỹ king, it shalbe heard and determined as before is expressed. And if the Jurour be attaynted at the suit of any other then of the party, & make fine, the party that sueth shal haue the moitye, and the parties to the plee shall recouer their damages by taxacion of the inquest. And the Jurour attainted shal haue one yeres ipzisonment, whiche the kynge hath graunted, that he will not pardon for no fine. And if the partye wil sue before other Justicers, he shal haue the suite in fourme aforesaid. An. tertio E. 3. ca. 8.

Repealed. 5. Eli. cap. 4.

Concernyng labourers and artificers, that withdraw themselues: the party shal haue his suit before Justicers. And the sherife shal take him at the first day, & do execucion on him, as is cõteined in the statute. And if he returne, (nõ est inuentus) an exigent shal go forth the first day, and so be sued vnto ỹ vtlagary, and after the vtlagary, a writ shalbe sent by the same iustices into any county, where the party wilbe to take him, and send him to the sherife of the county, where he is outlawed, there to bee ipzisoned, vntil he be iustified, and agre with the party. An. tricesimo quarto. E. iii. cap. x.

Sessions of Iustice.

Expresse mencion shall be made in the commissiõs of the peace that the iustices shal hold their sessions foure times in the yere. Anno tricesimo sexto Edwardi. iii. ca. xii.

If anye Labourer or Artificer withdraw him

himself to any citie or borough, and the partye come to the mayour and baylifes, and demãde deliueraunce of his seruant, thei shal cause him to be deliuered without delay and if thei refuse, the plaintife shal bring his suit against ỹ mayor e baylifes, before the iusticers of their labours. wher of thei be attaynted, thei shall paye tenne pound to the kinge, and an hundred shillinges to the party. In tricesimo 4. Ed. 3. Cap. 1. Repealed. 5°. Eliz. cap. 4.

No Iusticer, nor other minister shal enquire of office of Iurours, that take money or other thing, for saluing their verdite, but onely at the suit of the party, or some other. Anno vicesimo octauo. E. 4. Cap. 12. Iurrours.

In all enqueries, commissiõs must be made to the Iusticers of either benche, or Iusticers of assyse or of the peace with other, sauynge in the Eschetours office, or thinges belonging to the same. Anno quadragesimo 4. Ed. 3. Cap. 4. Inquyries.

Also it is agreed that the statutes of labourers, and artificers bee kept, and comissions to be made therupon to Iusticers of the peace of euery countye to heare & determine the points therof, and to awarde damages at the suyte of the party according to the trespas. In. 4. 2. E. 3. Cap. 6. repealed. 5°. Eliz. cap. 4.

It is ordayned that one shall se ther treates enlealed, & that al ỹ which is paid, be totted, & the same treates to be sẽt vnto ỹ sherifes vpon their receit, & if any sherife or minister do contrary, he shalbe bounden to answer to the party ỹ wil coplein therof, & to yelde him his treble damages, & to make fine to the king, & ỹ ỹ suit Extreate.

be had aswel before iusticers of the peace, as other iusticers. And the copies of thextreates shalbe deliuered to the bailifes of the franchise vnder the sheriffes seale, whiche baylifes shall make their accoũpt in ꝑ Escheker by the same copies & the sherifes shall accompt by the same extreates totted. An. 42. Ed. 3. Cap. 9.

¶ The statutes of King Richarde the seconde, concerninge the auctoritye of Iusticers of the peace.

Endytinge of spirytuall persons.

Concerning thẽ, that procure iudges or persons spirituall to be indited, or indite them for that, that thei sue thẽ in court Christiane for tithes, or other things (the knowledge whereof belõgeth to ꝑ spiritual iurisdiction) after the acquitaile of them, that be so indited, ꝑ inditours and procurours also, shall haue the same payne, that is limitted by the statute of Westminster second, for them that procure false appeales. And Iustices of assise, and other Iustices, before whõ such persons indited, be acquited, shall enquire of them. Anno primo Richardi secundi. Capitulo decimo tertio.

vagarante, and ffaytours.

Iusticers of assise in their sessions, Iusticers of the peace, and sherifes in euery coũtie, haue power to enquire of al vagarantes, & faitours & of their euil doinges, & to do with them, as ꝑ law requireth. Moreouer aswel Iusticers and sherifs, as maiours, bailifes, cõstables, & other gouernours of townes & places, haue power

diligently

diligently to enquire, and compel them to find suerty of their good behauour by sufficiēt maī-pernours, that shalbe distreinable, in case any defaut be founden, and if thei can not find such suerty, thē to be sent to the next gaile there to tary the comming of the iusticers of gayle deliuery, which haue power to do with them, as thei shal thinke best by the law. Anno. vii. Richardi. ii. Cap. v.

Artificers, labourers, seruantes, and vittailers, shalbe duely ordred by iusticers of ẏ peace aswel at the suit of the kīg, as of the party, according to ẏ tenor of the statutes therof made. And mayours, bailifes, stewardes of lordes, & constables of tounes shall do their office duely touching such artificers, labourers, seruātes & vittailours. An. xii. Richardi secundi. Cap. iii.

Repealed. 5° Eliz. cap. 4.

No seruaunt of husbandry, or labourer, nor seruant of artificer, or vittailer, shal weare any dagger, hangerd nor sweord, vpon pain to forfayt the same, except it be in time of warre, or as they be traueiling by the coūtrey. And mayours, baylifes, and constables, haue power to arest all such offendours, & to lease ẏ hāgerdes and swordes aforesayde, and to kepe them vntil the sessions of peace there to present thē before the Iusticers in their Sessions, with the names of thē that bare them. An. 12. R. 3. Ca. 6.

Thes shall weare no wepon.

Mayours, sherifes, bailifes, and kepers of gaile, be bounden, & charged, to receiue seruāts, labourers, beggers & vagarātes, offending cōtrary to ẏ statutes made against thē, & to kepe thē in prisō without baile or mainprise, & without

Seruāntes, labourers, beggers, vagarāntes to be kept in prison

out fee, or any thyng to be taken of thē, by thē
felfes, or by other, so lōg as thei shalbe in prisō
or at their ētry or goīg out of prisō, vpō pain of
an hūdred shillings to ẏ kīg. An. 12. R. 2. ca. 9.

Iustice of peace

In euery cōmission of peace, there shalbe but
sixe Iusticers of the peace with the Iusticers
of assise, and that ẏ said sixe iusticers shal hold
their sessiōs euery quarter of the yere, during
iii. daies if nede be, vpō pain to be punished by
ẏ kings coūsaile at the suit of him, that wil cō-
plain. And among other things touching their
office, thei shal enquire if the mayour, bailifes,
stewards, cōstables, & gailours haue done due
execucion of the ordinances touching seruātes
labourers, beggers & vagarantes, & to punishe
thē, ẏ be punishable by the sayd pain of an hū-
dred shillinges, & them that be found in defaut
which be not punishable by the sayd pain, they
shal punish by their discreciō. And euery of the
said Iustices shal take foure shyllinges by the
day for their wages, for the time of their sessions
and their clarke two shillinges, of the fines &
amerciamentes arising of the same sessions, by
the hāds of the sherifes. An. 12. E. 2. cap. 10.

Sessions.

Enquire.

Iustice of peace.

No associaciō shalbe made to Iusticers of
the peace after their cōmission, but neyther the
Iusticers of either bench, nor ẏ sergeauntes of
the law are not bound to kepe their sessions by
foure dayes, as other cōmissioners dwelling in
the county be bounden, but so farforth as they
may entend it. An. 5. Ca. eodem. Iustycers
of the peace must be made of the most sufficient
knyghtes, Esquyers, and gentlemenne of the
lawe

lawe in euery countie. And they shalbe sworne to put in execucion all the statutes touchynge theyr office. An.xiii.R.ii.cap.vii.

The Justicers of peace in their Sessions betwene Easter and Myghelmas by theyr dyscrecion, shall make proclamacyon according to the dearth of vittayles, how muche euery Mason, Carpenter, Tyler, and other Artificers, workemen, and labourers, shal take by the day aswel in August as at other tymes of the yere according to their degree with meat and drink or without meate and drinke betwene the two Sessions. And that euery man obey this proclamacion from tyme to time, as a thinge done by estatutes. And concerning vittailours, it is agreed, that thei haue reasonable gaynes after the discrecion and limitacion of the sayd Justicers, and no more, vpon pain to be punished at the discrecion of the sayd Justicers, where no pain hath been limitted for them in certain before this time. And the sherifes, Stewardes of Lordes of fraunchises, Mayours, Bailifes, & all other that haue the kepynge of the assise of bread and ale, & the correccio therof, shal take no amerciamēt nor fine for no defaut touching the sayd assise, for which it is to haue iudgemēt corporal: but shal adiudge them to the same penāce, ẏ their defaut requireth. An.13. R.2.ca.8.

In the counties of Somerset, Dorset, Bristow & Glocester for al hole clothes to be māde there it is ordeined, ẏ no hole cloth tacked nor rolled shalbe put to sale within ẏ said cōuties but ẏ thei be wrought, vpō peī to forfeit ẏ same

to

parte of this statute is repealed .5°. Eliz. cap. 4.

vittaylours.

whole clothes.

so that the byers may set and know them, as
is vsed in the countye of Essex, & that the wo
kers, weauours, & fullers shal put their mar
to euerye clothe, that they shall wozke, vp
a certain pain to be limited by the Justicers
the peace. An. decimo. 3. R. 2. Cap. 11.

No maner of artificer, noz other lay man h
uing no landes and tenements to the value
xl. s. by yere, noz Priest, noz other clarke, y
haue not auaūcemēt to the value of. x. li. by
yere shal neyther haue ne kepe any greihoun
noz greybitche, noz other dogge, koz to hūt, ne
ther shal vse ferettes, haye, nettes, harepy
kozdes, ne other enging, koz to take oz destroy
wild Hares, ne Coneis, noz other pastymes
Gentlemen, vpon paine of one yeres imprso
ment. And iustices of the peace shal enquire
such trespassours, and punish thē by the pay
akozesayd. An. xiii. Richardi. ii. Cap. xiii.

No charter of pardon shalbe allowed be
any Justicers koz murther koz the deth of a
slain, by awayt, assault, oz malice, pzepēsed
son, oz rauishmēt of a woman, if the same m
ther, treasō, oz rape be not specified in the sa
charter. And if suche a charter be aledged
mans death, wherein it is not specified, wh
ther ye party wer slain by awayt, assaut, oz
lice pzepensed, the Justices shal enquyre wh
ther the murther wer done by awayt, assaut,
malice ppensed, which if it be fownden, the c
ter shalbe disalowed. An. xiii. R. ii. Cap. i.

In euery countye shalbe assigned. viii. Ju
cers of the peace, and that the extreates of
same

same Justicers shalbe doubled, & the one part be deliuered by the Justicers to the sheriffe for to leuy the mony, and therof to pay the said iusticers their wages, by the sherifes hād by indenture betwene them to be made. And if the sherifes shal haue a lowafice in the Eschequer vpon their accompt by the same indēture. And that no Duke, Earle, Baron, nor Banaret shal take wages for the said office, and that the said Justicers shal put their names in the said extretes together with the number of their sessions, that the sheriffes may know, to whom to pay wages. An. xiiii. R. ii. cap. xi.

Justice of peace.

As often as any forcible entre shalbe made & complaint made therof to the Justicers of the peace, or any of them: the same iusticers, iustice or any of thē shal take sufficient power of the coūty, & shal go to the place, where such force is made, & if thei find any, holding the place forcible after such ētre made, he shalbe taken, & cōmitted vnto the next gaile, & there shal remayn by record of the same Justicers, or iusticer, vntyl he haue made fine and raūsom to the king. And the sherife and other people of the county shalbe attendaunt to the sayd Justicers, vpon payn of imprisonment, and to make fyne to the kyng. And in like maner it shalbe done, of them that make forcible entrees in benefices, and office of holy churche. An. xv. R. ii. cap. ii.

forcible entre.

No yoman, ne other maner of estate, thē an Esquier, shal not vse nor wear no lyuere called Liuerie of company of any Lord within this Realme, excepte he be a seruaunte continually dwelling

Lyuries of companies.

dwelling in the house of such a Lord. And iu-
sticers of the peace haue power to ẽquire ther-
of, and to punish accordyng to theyr discretion.
An. vi. decimo. R. ii. cap. viii.

vnlawfull assemblies.

Also none shall make assembles in outrag-
ous number, for to accõplish their malice, and
whensoeuer any such assemble is beginning at
sone as the sherike & other the kynges officers
may haue knowledge therof, thei shall with the
strength of the cõtry (where such case shal hap-
pen) make resistẽce against such malice with all
their power, & shall take such misdoers, & put
thẽ in prison, vntil due execucion of the law be
done of thẽ. And all lordes & other shalbe attẽ-
dãt vnto all their power, to assist sherikes, & other
the kiges ministers, in such cases. an. 17. R. 2. ca. 8.

Damond broods.

Also by the statute of westminster secõd, Da-
mõ brood may not be take nor destroied by nets
ne by other engins, from the middes of Aprill
vntill the natiuite of sainct John Baptist, at
milpooles, vpon paine to burne their nets and
engins, & the seconde time thei shall haue im-
prisonment of one quarter of a yere, and at the
third time one hole yere imprisomẽt, & as the
offence doth multiplie, so to encrease the pain.

Damond, & hys
of other fysse.

And by the statute of Richarde the seconde,
made the thyrtene yere of his raygne, it is ordei-
ned, that the sayd estatute shalbe obserued, and
that no Damons be taken, duryng the time
afore said at milpooles, nor any where els vpõ
the same payn. And during the time aforesaide
nor any other time, none shall put into any wa-
ter of this realme any nets called stalkers, nor

fysse nette.

any

any other nets, nor engins, wherby the broode or frye of any maner of fishe may be take or destroyed vpon the same pain. And it is ordained that all waters wherin Samons be take i the county of Lancaster, shall be defended, as to the takyng of Samons from Myghelmas vntil Candlemas day, and in none other tyme of the yere because they be seasonable at the said time, and that there be sufficient conseruatours assigned for the same waters, to punishe offendours, as before is sayd. In. iii. decimo. R. ii. cap. xix.

Also it is ordeyned, that the Justicers of the peace shalbe conseruatours of the said estatutes, to survey the defaut, and the gozes in suche ryuers, that thei be not to strayte for the destruccion of such broode &c. But of reasonable wydnesse after the olde assyse vsed, and that the same iusticers, or one of them, that fyndeth the offence, shall doe with them, that are founde in defaut according to the content of the same estatutes. Also the same Justicers shal assigne vnder the good & sufficient conseruatours of the same estatutes, which shalbe swozn, to make like surueys & serche, & to punish without any fauour. And further the said iusticers in their sessions shall enquire of office, or by informacion of the vnder conseruatours, of al offenders, & defautes done and if they be indited, thei shal cause the to appeare before them, wherof if thei be conuict, thei shall haue imprisonment, & make fine according to the discrecion of the same Justicers, & if it be vpon the information of any of the vnder conseruatours, then they to haue halfe the fine,

fyssing.

And

And in Thames and Medwey, the mayour of Londō is conseruatour by certain limittes &c. And shal haue the correccion therof. Anno xvii. Richardi. ii. cap. ix.

gaile delyuye for theues & felons.

In euery commission of the peace frō henceforth two men of law of the same county, where such cōmission shalbe made, shalbe assigned to go & procede at the deliuerance of theues, felons. Forasmuch & as often as they shal think it good. An. decimo septimo. R. ii. cap. x.

¶ The statutes of Henry the fourth concernynge the power of Iusticers of the peace.

welchemen comittinge felonies or trespas in counties adioyninge to wales.

IT is ordayned, that yf any welchmē do any felony or trespas in the countyes adioynynge to wales, and be attaynted therof by outlawrye, Abiuracion, or by the lawes of the land, and repaire into wales, that vpon certificat, and recorde to be made therof by the kynges Iusticers (to fore whom they shalbe cōuicte) vnder their seales, vnto the Lordes, or other officers, where such felons be, that final execution be done vpō such Felons by the same Lordes or other officers, and that vpon a greuous payne. Anno. ii. Henrici. iiii. cap. xvii.

lyveries.

No lord shal vse, nor geue any liuery, or suite of cōpany to no knight, Esquier, nor yomā in this realme, but ẏ kīg only shal geue his honorable liuery vnto such tēporal lords, as it shal please hī, & to the knightes, & Esquiers of his housholde,

housholde, & other knightes, and Esquiers of his retinue, & shall take of him their yerely fee for terme of life. Also the same knightes, and Esquiers shall not weare their said liueries in their Shires and Counties, where they be resident, nor other where, out of the kinges presence. And if any lorde doe the contrarye, and it be duely proued, he shall make fine & raunsome at the kinges will. And yf any knight, or Esquier do the contrary and be atteinted therof, he shall lose his liuery and forfayte his sayd fee. Nor no man shall take ne vse any liuery of the kynge, nor of any other lorde, vpō peyne of imprisonment and Fyne and Raunsome at the kinges wyll. And no man of holy churche ne temporall man shall gyue anye lyuerye of clothe, but only to his housholde seruauntes, and officers, and them that be of his counsayle in bothe lawes, vpon payne of imprisonment, and fyne and Raunsome. Anno primo. H. iiii. cap. vii.

Note that there is a (Prouiso) in the statute for the Marshal, and Constables of Englande in time of warre, and for suche, as passe the sea, to wynne honour &c.

It is proued also, that the saide estatute be firmely kept, and that the Iusticers of eyther bench, Iusticers of assise, & of the peace haue power to enquire, heare, and determine in the case by recorde in their presence, or by enquire frō time to tyme. And the Dukes, Erles, Barons, & Banarettes may vse the sayde lyuerye in their coūtrey, and other where, & Knyghtes

Lyueries.

and Esquiers may vse it in goyng and retourning vnto the kinges house, but not in the coũtrey or shyres, where they dwel, vpõ the payne comprised in the sayde estatute. And that the Prince maye gyue his lyuery vnto the sayde Lordes, and to the Gentilmen of his houshold, whiche Lordes maye vse the same lyuery, as they doe the kynges, & the housholde seruãtes of the Prince may vse it, as the Kinges housholde seruauntes. An. ii. H. iiii. cap. xxi.

Watches on ye Sea coaste.

Also that watches made on the sea coste, be done by such nomber of chosẽ persõs in maner, as they were wont to be in tymes passed, & ye the statute of winchester be obserued in that case. And Justicers of the peace haue power to enquire therof frõ time to time, & to punish thẽ, that be foũden in defaut, accordinge to the tenour of the sayde estatute. An. ii. H. iiii. ca. x.

Justice of peace, to emprisone in ye comon gaile

Also it is ordeyned, that none shalbe imprisoned by Justicers of the peace, but in the comon Gayle, Sauing to Lordes, & other that haue Gayles i their frauchise. an. v. H. iiii. ca. x.

Arrowe hedde, & quarrelle.

The heddes of arrowes, & quarrels muste be boyled, brased, and hardened at the pointe vpon peyne of forfaiture of the same heddes & quarelles vnto the kyng, & to be imprisoned & make fine at his wyll. And they shalbe marked with ye marke of him, that made thẽ. And Justicers of the peace, & mayours, & Bailiffes of Cities & Boroughes within the same, haue power, to enquire of false makers of thẽ, & to punishe, as before is sayd. An. vii. h. iiii. ca. vii.

Yf any riot, assemble, route or gatheringe of

people

Riotte, Rowte & vnlawfull assemblies.

people be made cõtrary to the law, the Justicers of the peace, or .ii. of thẽ at the least, & the shyrife, or vndershirife, shall (if nede be, arest thẽ) & come w̃ the power of the shirife, & arest thẽ. And the same Justicers, shiriffes, or vndershyriffes, haue power tò recorde that, that they shall find in their presence done cõtrary to the law, by which recorde such misdoers shalbe conuict, as is conteyned in the statute of forcible entre made. An. xv. Ed. iii. cap. ii.

Riotte, Rowte, and vnlawfull assemblies.

And in case the same trespassours be departed, thẽ the same Justicers shal enquire of thẽ within a moneth after, & heare, & determine the matter accordinge to the lawes of the land, and if the truth cannot be found so, thẽ within a moneth next ensuing, the sayd Justicers, or two of thẽ, & the shyrife or vndershirife, shall certifie the whole facte with the whole circũstances therof before the king and his counsayle, which Certificat shalbe of as great effecte, as a presentment made by twelue men, and the offenders shalbe put to answere therupon, & those, that shalbe found guilty, shalbe punished at the discrecõ of ỹ king & his cõsayle; & if such misdoers trauerse the matter so certified, and the same certificat, & trauerse shalbe sẽt into the kinges benche, to be determined there. And if ỹ misdoers come not at the first commaundemẽt, then shall an other commaundemẽt go forth, to take their bodies, retournable in the kinges bench, and in case they cannot be founde, then the shyrife or vndershirife shal make proclamacõ in euery cõtye holden after the deliuery of the se-

conde cõmaundemẽt, that they shal appeare be-
fore the kinge & his cõsayle, or in the kinges
bench, or in the chaũcery in the time of vaca-
cio, within thre weekes thẽ next ensuing, & in
case they come not then, as before is sayd, and
that the ꝓclamacio be made & returned, they
shalbe conuicte of the sayde assemble, or riote.
Moreouer Iustices of the peace dwellyng
nere in the counties (where suche ryottes here-
after shalbe made) with the Shyriffe or vn-
dershyryffes of the Shyre, and the Iustices
of Assise in their Sessions, where any such
ryot, assemble, or route is doone in their pre-
sence, shal execute the sayd estatute, vpon peyne
of an hundreth. li. to be payd to the kyng, as
often as they shalbe founden in defaute about
the execution therof. xiii. H. viii. ca. vii.

¶ The statutes of kyng Henry the fyft, concer-
ning the auctorite of Iustices of the peace.

weyghte and measures.

IT it is ordeyned, that al the ordi-
nãces made for weyghtes & mea-
sures be obserued, & that no pur-
ueyour of the kyng nor other, shal
to byr nor take any corne by other
measure, but after. viii. bushels
rated for the quarter, & that euery bushel con-
teyne. viii. galons, & that none shalbe bounden
to delyuer for the quarter, but eyght bushels
rated, and that redy payment be made for the
cariage and pfany purueyour of the kynge, or
any other, take or bye otherwyse, by other
measure

measure, then eyght bushels for the quarter, and be conuicte therof, he shall haue one yeres imprisonment, and shal paye an hundreth shillinges to the king, and as muche to the partye greued (tociens quociens) &c. And the partye that wil sue, shall haue his action vpō the case. And Justices of the peace haue power to enquire and holde plee of al the things aforesaid, and therupon to awarde punishment aswell at the sute of the king, as of the partye & nothing shalbe taken for the measuringe of corne in other maner. An. x. H. v. Cap. ix.

Justicers of the peace haue power, to send theyr writtes to any Shiriffe of this Realme, to bringe Labourers and Fugytiues before them, to aunswere to the kynge, and the parties, of contemptes, and Trespasses done contrarye to the statutes of seruauntes and Labourers. And Justicers of the peace, that bee of the (Quorum) shalbe residente in the same shires, except the Justicers of eyther benche. Seriantes of the lawe, the kinges Atturney and the chief Baron of the Eschequer. And they shall kepe their Sessions foure times in the yere, that is to witte, the firste weke after Mighelmas, the firste weke after twelfe daye and the firste weeke after the Crosse dayes of Easter, and the first weeke after the translation of Thomas Beket. And Justycers of the peace haue power to examine al maner of labourers, Seruauntes, and theyr Maysters, as Artyficers by their othe of all thynges done by them contrary to the statutes made for thē

Justice of peace maye send their writte to any Shiriffe.

Justice to be resyant in ye shire. &c.

quarter Sessyons.

Labourers & seruants

and further to punishe them vpon their confession according to the effecte of the same estatutes, as if they were conuict by Inquest. And euery shiriffe shal do his office in that behalf, vpō payne to forfayt twēty poūd to the king. An. ii. Henrici. v. Cap. iiii.

Heretickes, and Lollardes.

The Chaūcellour, Tresourer, Iusticers of eyther bench, Iusticers of the peace, shiriffes mayours, & bayliffes, shal make oth at the taking of their charges, to do theyr vttermost to auoyde, cease and destroye al maner of Heresies & lollardies in those places, where they exercise their office, and that they shall assyste Ordinaries, & their cōmissaries & maintayne thē, at al such times, as thei shalbe required by them, & to trauayle, for to take suche lollardes at the coste of the same ordinarie. And that al persons conuicte of heresy, & deliuered to the seculer handes, shal forfayt theyr landes & tenemētes, & the Lordes to haue the Escheates after the yere & the daye, & the waste, and shall haue liuery out of the kinges handes. But of landes of Heretiques, ẏ be conuict, holden of Ordinaries, the king shal haue the forfayture. And no person conuict of Heresy, & delyuered to the seculer hande, shall forfayte his landes, before ẏ he be dead, yet shall they not forfayte those landes, whereof they be seased to anothers vse. And the Iusticers of the kynges bēche, Iusticers of the peace & of assyse, haue power to enquire of all them, that holde anye Errours, or Heresies, & of their maintenours Receiuours, Fauourers, & vpholders, as writers

ters of their bokes, & sermons, & of their scoles, conuenticles, congregacions, and confederacies. And yf any person be indited of any point aboue rehersed, the Justicers haue power, to awarde a (Capias) & the Shirife shalbe bounden, to arest suche persons, and they shalbe deliuered to the ordinaries of the places, or theyr commissaries by endenture within ten dayes after their arest, if they be not indyted of other thinges, that belonge to the knowledge of seculer Judges, in whiche case after their acquitayle before the seculer indges, they shalbe deliuered to the Ordinaries, as before is sayde. And the ordinaries shal procede against suche persons endited vpon the matter belōging vnto their iurisdiccion, as if no suche inditement had bene, hauynge no regarde therunto, & the party Indited shalbe let to Maynprise vnder good suerty within the same ten daies, for whō the shiriffe, or other officer will aunswere, that they being so endyted shall be delyuered to the sayde Ordinary within ten dayes. And the ordinary shal haue a sufficient Cōmissary dwellinge in euery countye, in some place notable, whiche may be warned by the shyryffe, for to come vnto the Gayle, to receyue suche persons as bee endyted by Indenture, and that euerye of them that shall passe vpon any Inquest of heresy, shall haue at the leaste an hundreth shyllinges of landes by the yeare, within the Realme, and also in Wales euerye of the Inquest to haue forty shillings of land by the yere. And if anye person beynge arested of

Enqueste vpon heresies.

heresy, escape, or breake the prison before that he be acquited before ye Ordinary, his goodes and cattels which he had at the day of the arreste, shalbe forfayte vnto the kynge, and his landes and tenements, whyche he had the same daye to be seased, and the kynge for to haue the profite of the sayde landes, vntil the partie yelde him self to the sayde pryson, from whēce he escaped. And the sayde Justicers haue power, to enquire of suche escapes, and breakinges of prison, and of the goodes, lands, and tenementes of the parties.

Prouyded that yf the partye so beyng indited die, before that he returne vnto prison, that it shalbe lawfull for the nexte of the bloude, to whom the Inheritaunce ought to discende, to enter without any other sute making therfore, & al coūties palantine, and Seignories royal haue power to put these articles in execution &c. aswell as the Justicers & other the kynges ministers shall do. Anno. ii. H. v. Cap. vii.

Riote, Route, and vnlawfull assemblies

If any defaut be in the two Justicers of the peace, Justicers of assise, shiriffes or vndershiriffe, where any rout, riot or assemble is made touching the executiō of the statute made the twelfe yere of Henry the. iiii. Cap. i. Then at the Instance of the party greued, a commission shalbe awarded, to enquire aswell of the verite of the case, and Oryginal matter, as of the defaute of the sayde Justicers, shiriffes, or vndershyriffe. And the Commissioners shall retourne the matters founde before thē into the Chaūcery, & that Coroners shall make the panels

nels of the same Inquestes, wherin they shall returne no persons, but such as may spend. x. pound by the yere at the leaste, & shall returne xx. shillinges in issues at the first daye & foztye shillinges the seconde, & an hundzeth shillinges the thyrde, & after that, double at the leaste.

And if defaute be in the Cozoners in returnyng suche persons, oz issues, euery of thē shal forfayte. xl. pounde to the king. And if the shirike be discharged at the time of the cōmission awarded, the pzoces shalbe directed to the next shirike, vpon like peines, in case defaute be in him. &c. & not to the Cozoners. And the Justices of peace shall haue their costes of the kig in going, & returning, by indēture betwene thē, and the riotoures shall haue a peres imprisonment at the leaste, without baile foz heynous cyotes. And riotours attainted of mayne riotes, to haue imprisonmēt, as it shall please the king & his cōsayle. And the kinges subiectes must be assistent vnto the sayde Justices, commissioners, shirikes, oz vnder shirike, whē they shalbe warned, to ride with them foz the resistēce of such routes, oz riotes, vpon paine of imprisonment, and fine, and raunsome. And bayliffes of liberties shall impanel sufficient persons, vpō peyne of foztye pounde, in case that suche may be foūde within their fraunchises. And like ordinaunces, peynes, shall holde place in Cities, Boroughes, and other places fraunchised. In. secundo. H. v. Cap. viii.

Justices of peace must be made of the most sufficient persons dwellinge in the counties

Justice of peace to be made.

ties by the aduise of the chaũcellour, & the kings coũsel, except Lordes, and Justicers of Assise, & the chief stewardes of Lordes of the Duchie of Lancaster. In. xx. H. v. Cap. i.

welchemē takinge prysoners.

For somuch as many of wales oftentimes take diuers of the kinges subiectes, sometime riding about their busynes, & sõtimes in their houses, & cary them into wales, and there deteygne them, vntyl they haue made raunsome &c. It is ordeyned, that Justicers of the peace shal haue power to enquire, heare & determine al maner of suche Treasons, and Felonies aswell at the suite of the kinge, as of the partye. And if the offenders appere not, proces shalbe made, vntyl they be outlawed, and thẽ thesame Justicers by their letters vnder their seales shal certifie the officers of the Lordes (where such misdoers dwel or resorte) of the contrary, and thesame officers vpon such certificat shall take the bodyes of them, that be so outlawed, & shal do executiõ of thẽ in thesame lordships, as the lawe requireth, without anye fine or redemption for to be made. An. ii. H. v. cap. v.

galyhalfpens. Suiskyns. Dodkyns.

If anye of the kinges subiectes vtt or take galyhalfpẽs, suiskins or dodkyns, in payment within this Realme, and be attaynted therof, they shal forfayte for euerye time an hundreth shillinges to the kynge, the moytie to him that wyl sue. And Justicers of the peace, mayours bayliffes & stewards of Lordes in their leates, haue power to enquyre thereof, and shall send al Inditementes taken before thẽ tofore the Justiciers of the peace of the sayde damage, which

which Justicers of the peace shal make proces vpō them, & vpon the Inditementes taken before them, & shall haue power, to heare and determine them, as in other cases of Felonie and Trespas. An. tertio H. v. Cap. i.

None shall gylde anye sheathes, nor metall, except siluer, & ornamentes of the churche, ne shall ouersiluer any metall, except the spurres of knightes, & apparel, belonging to Barons. & aboue the same estate, vpon peyne to forfaite ten times as muche, as the thynge so gilded is in value, and imprisonmēt of one halfe yere. And Justicers of the peace shal haue full power and auctorite, to enquire, heare and determine it, and he that sueth, shal haue the. iii. parte. An viii. Henrici. v. Ca. iii.

gilde. or oversilver.

The king shal cause good and iust weightes of the noble, halfe noble, and farding of golde to be ordeined with the rates necessary there vnto, to be deliuered vnto them, that wil haue them. Anno nono. H. v. Cap. viii.

weighte for golde.

Justycers of the peace, shyryffes, Eschetours, and other sufficient persons, haue power by commission, to enquire of false forgers, and counterfeatours of false weyghtes, and to take and imprison them without maynpryse, vntyll they be attainted, or acquited. And in case they be attaynted, they shalbe imprisoned, vntil thei haue made fine and raunsome, accordinge vnto the discretion of the Justicers, whiche haue power, to enquire, heare and determyne suche offence, as often as to them shall seme good. Anno. ix. H. v. Cap. viii.

counterfaytours of false weighte.

The

¶ The statutes of King Henry the. vi. concernynge the aucthorite of Justycers of the peace.

This acte is repealed. 5. Eli. ca. 8.

Cordyners.

IT is ordeyned, that if any Cordiner vse the craft of a Tanner, duringe the time, that he vseth Cordiners craft, he shal forfaite for euerye hide by him so tãned, or any other vnto his vse vi. s. & viii. d. And yf Cordiners do fynde any open defaute in the hides beynge so tanned by the tannours, or by other for them, then the sayde tanner to forfaite for euery hide not sufficiently tanned. vi. s. & eyght pens, the moite to him that will sue. And ye Justicers of eyther benche of Assise, of the peace, & Justicers of Chester, & Lancaster, and Mayours hauyng the autorite of Justicers of peace, haue power to enquire, heare & determine it, at the sute of the kynge or of the partie. An. ii. H. vi. Cap. vii.

measures of wyne.

No man shall carye, nor make within the Realme any tun of wyne, excepte it conteyne xii. score and. xii. galons of Englishe measure and the Pipe six score & six galons, the Tercian three score and three galõs, & so according vnto the rate of Gascoyne wine, vpõ payne of forfayture of the same wine. Nor no barrel of Heringe, nor Eles, except it conteyne thirtye galons ful packed, nor no buttes of Samõ, excepte they cõteyne foure score, & foure galons ful packed for anye kilderkins, Tercians, or sirkins of Hering, Eles or Samon, but accordinge to the rate, full packed, vpon payne of for-

Heringe.
Eles.
Samon.

forfayture of the same Heringes, Eles, and Samon. And he that wyll sue & proue it, shall haue the fourth parte of the forfayture. And Justices of the peace, mayours & baillifes, that haue power, to enquire of the peace, shall enquire, heare & determine suche defautes. And this ordinance shall extende to Chester, aswel as to other places. An. ii. H. vi. cap. xv.

Goldesmythes.

No Goldesmith, nor worker of siluer within the Citie of London, shall set any workes of siluer, except it be as fyne as the sterlyng, except that, that shall nede sowdre, which shalbe alowed. Nor no Goldesmith, nor other, that worketh harnesses of siluer, shall put anye of them to sale within the Citie, before that they be touched with the touch, & with the marke of the worker therof, vpon peyne to forfayte the double value of the same. And the marke of euery Goldesmith shalbe knowen to the wardens of the occupatiō. And if the keper of the touche, touch any harneyes with the liberdes hedes, whiche is not so fyne, as the sterlynge, he shall forfayt, for euery thyng so proued, the double value to the kinge, and the party, that is to wytte, halfe to the kyng, and halfe to the partie. And like ordinance is in Yorke, Newcastel, Lyncolne, Norwiche, Bristow, Salesbury and Couentree, that euery one shal haue sundry touches, according vnto the ordinance of the mayours, &c. of the same. And that no wardeyne, ne Goldsmith shall touche, or put to sale any syluer, otherwyse then it is sayde before, & that no Goldesmith nor other worker

of siluer

of siluer, within the realme shall worke any siluer, if it be not as fine in alay, as the sterling wherunto he shall put his signe or marke, before that he put it to sale, and if it be not so fine, and be so founden, he shall forfayte the double value. And Justicers of the peace, and all other hauyng the auctorite of Justicers of peace, shall heare, and determine that by vyl, plainte, or otherwyse, and shall do execucyon therof accordyng to theyr discretion. Anno. ii. H. vi. cap. iiii.

Lyuries.

Retaynors.

Justicers of Assise, & Justicers of the peace at the sute of the kynge, or of the party, haue power, to awarde writtes of attachemētes, & distres, against them, that gyue or take any lyuerye in hattes, or that do cōtrarye to the statutes of reteigners, retournable in their sessions, where as if it be retourned, ẏ the parties haue nothyng, then shal a (Capias) and an exigent be awarded, as in Trespas. And if they appeare to the sayd writtes, ẏ Justicers haue power, to examine thē, and if it be found, that they haue done contrary to the sayde estatute, they shall incurre the payne cōprised in ẏ statute, ẏ is to wit, ẏ giuer, an hundreth shillinges & the takers. xl. s. so often as they shalbe founde in defaute, and this estatute extendeth aswel to Chester, & Lācaster by examinaciō, & pces to be made by the iusticers there. Moreouer if any pson at his owne costes, bie or vse for his clothing any cloth of hattes called liueries, of the sorte, or sute of any lord or knight, or any other pson whatsoeuer he be, for to haue of the

suppor-

supportaciō, succour, or mainteināce, & be duely cōuict therof by examinaciō or otherwise, they shall incurre the payne before limitted for thē, whiche take liuereis. And furthermore they shal haue one full yeres imprisonmēt wythout bayle or mainprise. an. viii. H. vi. cap. iiii.

It is ordeyned, that in euery citie, borough, & towne within the realme, one comon balance shalbe with comon weyghtes ensealed, for all the inhabitantes, the whiche lacke weyghtes or other, that haue (yf they list) without taking ought, but only of forrens, whiche shal pay for euery draught within the weyght of fortye pounde, one farding, & for euerye draught betwene forty pound, and an hundreth pounde one halfpeny, & for euery draught betwene an hundreth and a thousande pounde, a peny at the most, to maintayne the weyghtes with, & the officers, that weye, shalbe rewarded at the discretion of the chiefe of the Citie, Borough, or Town. And that euery Citie, vpon peyne of ten pounde, euerye Boroughe vpon peyne of an hundreth shyllinges, and euerye towne (where a Constable is) vpon peyne of. xl. s. haue a cōmon balaunce with weyghtes accordinge to the standarde within two monethes after proclamacion of this ordinaunce made, whiche paynes shalbe leuied vnto the kynges vse, as oftē as defaute shalbe made in the premisses after such proclamaciō made. And that none bye wollen yarne, vnles they wyll make cloth, nor vse weight, measure, ne other thinge in stede of weyght, or measure, excepte it be

sealed

ſeled accordyng to the ſtandarde, nor put any
thinge therto by way of takinge, or otherwyſe
to encreaſe the meaſure, or weight, or to let the
balance, vpō payne to forfayte vnto the kynge
the value of the goodes wayed or meaſured, &
to the party quadruble damages, and ſhal haue
two peres impriſonment, & make fine & ranſome at the kinges wyll. And Iuſtices of the
peace, Mayours, Baylyfes & Stewardes of
fraunchiſes, haue power to examine & reſeiſe
ſours in that caſe, after to enquire, & do execucion of them, that be defective, by inqueſtes or
examinacion to be made by the ſayde Iudges
or officers in maner, as before is ſayde. Anno
viii. H. vi. cap. v.

Forrible Entrees.

If any make forcible entre, vpon lādes, tenementes, or other poſſeſſiōs, or holde the ſame forcibly, after cōplaynt made to the Iuſtices of
the peace, or to one of thē by the party ſo greued,
the Iuſtices or Iuſtice ſo warned ſhall make
due execution of the eſtatute made the fyfteenth
yere of king R. the. ii. at the coſtes of the partie.
And whether thoſe perſons, whiche made ſuche
entries, be voyded or preſent before the exami-
ning of the Iuſtices; yet ſhall the ſame Iuſtices and euery of thē haue power in ſome
good towne nerete to the place (where the entre
was made) to enquire of them, that made the
forcible entre and of them, that kepe poſſeſſion
with force. And if it be founden that any haue
done contrary to this eſtatute, then the Iuſtices, or Iuſtice ſhal cauſe the landes or tene-
mentes ſo entred into, to be reſeiſed, & to put the

parte

party, that was put out in possession. And the iusticers, or iusticer, shal make their warrãtes vnto the sherife, to cause sufficient persons, to enquire before thẽ, of which euery one may dispẽd. xl. s. by yere of fre hold aboue al charges, and dwellyng next to the place, where the ẽtre was made, & the sherife, to returne vpon euery of them, at the first day. xx. s. at the second day, xl. s. at the third day, an hundred shillinges, & at euery day after to double. And if the sherife or Bailife of the fraunchise, make not due execucion of the said preceptes to thẽ dyrected for such inquiries, for euery default they shall forfait. xx. pounde, and further to make fine and raunsõ. And the iusticers or iusticer of the peace iusticers of assise, and euery of them, haue power to heare & determine suche defaut & negligences of sherifes, and Bailifes, by byll at the suit of the party greued, as wel for himselfe, as for the king onely. And if the sherife or baylife be attainted by bil, or indicement, he that sueth for himselfe, & for the kyng, shal haue the moity of the twenty pounde, with their costes. And that mayers, iusticers, or iusticer of the peace, sherifes and bailifes of cities, hauinge fraunchises, haue like power win cities, boroughes, and townes, touchyng the articles aforesayde. An. octauo Henrici. vi. cap. ix.

Where as by an estatute made the secõd yere of king Henry, the fifth cap. For murders, robbries, affaires, assembles of people in great nũber, & for rebellions and riots, it was ordained that if any would come into the chaũcery, and

felon, or malefactor ffled.

complaint in ye Chauncerie.

make cõplaint that any such felõ, or malefactor
wer fled, or withdrawe to ani woods, or couert
or vnknowe places, vpõ such a cõplaint, or by
sufficiẽtly made, & after deliuered to the chã-
cellor, he shal haue power to award a (Capias)
directed to the sherife of ỹ shire, where suche an
offendor is supposed to be, returnable at a cer-
tain day in the chauncery, & in case the persons
be take, or yeld thẽselues in the chãcery at the
day, they shalbe committed to a ward, or let to
mainprise according to the discreciõ of ỹ chã-
cellor, & further it shal be cõmãded, to enquire
of such offences, & to do therin, as the lawe re-
quireth, & if at the day of the (Capias) returna-
ble, the sheriffe retorne, that thei cannot be take
nor the parties yeld not thẽselues in the chã-
cery: then shall the chauncellor make a writ of
proclamacion directed vnto the sherife returna-
ble in the kinges bench at a certain day, that he
shal proclaime in two counties, that thei yelde
thẽselues at the day in ỹ bench, for to aunswer
vpon pain to be conuicted. And in the writ of
proclamaciõ shalbe conteyned the substaunce of
the matter in the bill, & if thei come not at the
day of the proclamacion returnable, they to be
adiudged, attainted.

Prouided that the suggestiõ of such riots be
witnessed by letters clẽsealed vnder the seales of
ii. iustices of the peace, and of the shirife of the
shire, before that the Capias be awarded, & the
matter of the bill, shalbe cõprised in the writ of
(Capias) aswel as in the proclamacion. And if
such a case fortune in Lancaster, or in a cõty
palentine

palētine, where ther is a chauncellor, & a seale: then the chaūcellour of England shal write or send by writ to the chauncellour there, to dooe such execucion, and the king hath ordayned the said estatute to be obserued for euermore.

Prouided that it be witnessed by two iusticers of the peace of the countye, where the riot was done &c. that a cōmō voice also fame was in the same cōūty to the said riot, before that ẏ (Capias) be awarded, & prouided that if such a case happen in a county palentine, where there is a chauncellor and a seale, that the chaūcellor there, after cōplaint to him duely made, & witnessed by the said iusticers or Lieutenāt of the iusticers, and the sherife in fourme aforesayd, shal haue like power, to award a Capias, and a writ of proclamacion, as the Chauncellour of England hath. An. viii. H. vi. cap. xiiii.

Al such persons, as haue dwelled at ẏ stewes being returned by ẏ sherifes, bailifes, or other the kinges ministers in the county of Surrey, or by any ministers before ẏ steward, & marshal of the kinges house, may be chalēged aswel for the king, as for the party, and the challenge to be allowed for that cause. Moreouer he ẏ hath dwelled at ẏ stewes, shal not be suffred to kepe any cōmō hostery, or Inne, ī any place within the borough of Southwarke, but onely at the stewes. And iusticers of ẏ peace in ẏ same coūty haue power, & auctority, for to enqre of al thē, ẏ kepe hosteries, & tauerns, ꝯtrary to this estatute, & to punish the offēders by fine & raūsō, & by imprisōment at their discreciō. A. ii. H. 6. c. i.

suche as haue dwelled at ye Stewes.

chalēged in Juries

shall ~~[illegible]~~ keape no Jū, nor hostrye

Suite, plees, or proces before Iustice of peace, not to be discontynued.

In all maner of suites, plees, and processes hereafter to be made before iusticers of ye peace, it is ordayned, that the said plees, and processes in such maner of suites to be made before them shal in no wise be discontinued by any new cōmissiō of the peace to be made. And ye iusticers named in those new cōmissions, after that they haue the record before thē, haue power, to continue the said plees, & processes, & to heare & determine the same, as the other Iusticers might or ought to haue done, in case that no new cōmission had been made &c. ¶ Also it is ordained ye in euery city borough, & town, there shalbe a cōmō bushel ensealed, & according to ye stādard in the Eschequer, vpō the pain cōtained in the statute made the. viii. yere of Henry the sixt for cōmon balances to be had. And that the mayor of London, and al other mayours & bailifes of cities & boroughes & the iusticers of the peace in euery county, shal haue power to put in executiō al estatutes made for weightes, measures & balāces, & to heare & determine, al defautes & offences, done or to be done, aswel at the suit of the kinge, as of the party greued, and euery other the kinges lieges, that wil sue for ye king, aswel by examinacion of the parties according vnto the discretiō of the said Mayours, Baylifes and Iusticers of the peace, as by enquest duely to be takē. And he ye is attainted of any defaut or trespas cōtrary to the estatute made the first yere of Henry the fifth, cōcerning measures, & purueiours, shal pay vnto hi at whose suite he is so attainted an hūdreth shyllinges,

A Cōmon Busshell, sealed.

with

with his reasonable costes, and an hundreth shillinges to the kyng. An.x.H.vi.Cap.viii.

No person shal sel, or put to sale any candels ymages, figures, or other woorkes of waxe at more high price, but according to the rate of.3. pens more in the weight of a pound, aboue the cōmon price of a pound of waxe, betwene marchant and marchāt, at the tyme of the sale, vppō pain to forfait such cādels, ymages, figures & other workes of waxe, so solde or put to sale, or the value of thē, and to make fine to the kīg, in case he be attainted by examinacion, of due search, by weight, or otherwyse, if it be founde, that they haue sold, or put to sale such thynges cōtrary to the statute. And the iusticers of the peace, haue power to enquire, heare and determine such offences, and maiours, and bailiffes, in cities, and stewardes of lordes in their fraūchise, and iusticers of the peace in coūties, haue power, to enquire, & searche aswel by weight, as otherwise by their discrecion, and to punish them, whom thei shal so find gilty, in fourme aforesayde, howbeit this estatute doth not extēd to hersis of nobles disceased An.11. H.6.ca.12.

The iusticers of the peace in the countye of Middelesex be discharged frō keping their sessions foure times by the yere, the kynges hygh courtes being in the said high county, howbeit thei shal kepe their sessions twise in the yere at ẏ least, & more oftē (if nede be) for riots or forcible ētres made win ẏ shire, vpō pain to forfait ẏ sūmes for ẏ same ordeined. An.14. H.6.ca.4.

None shalbe assygned, or deputed Iusticer

of peace, except he haue landes and tenements to the value of xx. poūde by yere, & in case that any, not hauyng lands to the same yerely value be assygned, he shal geue notice vnto ẏ chācellor of England therof, which shal put another sufficiēt i his roume, & if he do not geue knowledge withi one moneth, after that he hath notice of the commission, or if he sit, or make warrant by force of such cōmission, he shall incurre the pain of twenty pound, the moity to him ẏ will sue by a writ of det at the common law.

Prouided that this ordinance extend not to cities, tounes, and boroughes, that haue Justicers of the peace. And the chauncellor may appoint men learned in ẏ law in such cōmissions, though thei haue not lands and tenements to the same value. An. decimo. viii. H. vi. Cap. xi.

No person shal cary, nor cause to be caryed any wolles, felles, or skyns, customable out of ẏ realm, to any other place, thē to Calis, without the kings licence, vpō pain of felony. And as well commissioners assigned, as the Justycers in euery coūty (wher theibe so caried out) haue power to enquire, heare and determine that. An. xviii. H. vi. Cap. xv.

Where diuers haue taken wages of their capitaines & haue mustred, & be entred of recorde the kinges souldiers, depart frō their capitain within their terme, it is ordained, ẏ if anye do so (except he haue notorious sicknes or other impedimēt by the visitaciō of God, whereof he shal immediatly certify his capitaine, repaying his money, wherwith he may prouide himselfe of

of another souldier in his stede) he shalbe punished as a felon. And iusticers of ye peace haue power to enquire, heare & determine that. And further it is ordeined, that no souldier, that so hath mustred of record, and going with his capitain ouer the sea, shall returne into England within the termes, without cause reasonable shewed by his capitain by him to ye chiefe in the county, hauinge the power royall, & further to haue licēce of his capitain vnder his seale testifiing the cause of his licence. And he, that so of record mustred and cōmeth agayn without letters testimonial of his capitain win his terme, the maiours, baylifes, and other the kings ministers, where such arriue, haue auctority, to arest & kepe thē, vntil enquire be made of thē, & if it be foūd before iusticers of ye peace by enquire, & proues, ye thei haue mustred of record and departed without licēce, as before is said, thē thei to be punished, as felōs. An. 18. H. 6. cap. 19.

If any taker or purueiour take or bie anye thing to the value of. xl. s. or within the same sōme, & make not ready paimēt therfore, it shal be lawful to euery of the kings leges, to retain his own goodes, & to resigne them. And euery cōstable, and other officer of any towne, where such purueyance is made, shall be ayding to ye owner, or sellour of the goods, to make resistēce vpon pain to render the value of the thinge so takē to the party greued, if thei be required, wt double damages. And ye none of ye kinges officers cause any of ye kings lieges to be vexed or punished i ye court of ye marshalsi or otherwher

Letters testymoniall.

purveyours, & takers.

xls. value, or vnder.

for such resistence or retayning, vpon payne of twenty pound, the moyty to hym, that wyl sue. And Iusticers of the peace haue power to enquire, heare & determine such offences at ye suit of any, that wil sue, as wel as at the kings suit and to do execuciō therof, and to award damages to the party. An vicesimo. H. vi. Cap. viii.

statute for pr=veyours.

At the parliament holden the thre & twenty yere of Henry the sixt, al the statutes made for purueiours be recited & further prouided, that the said ordinaunces & statutes should be sent to the iusticers of the peace in euery countie to proclaime them euery yere, and to enfourme ye people of thē. An. vicesimo tertio. H. vi. Ca. xii.

to be proclaymed.

welchemen endyted & outlawed of treason & felonye.

Wheras diuers persons of Wales endited, & outlawed of treason and felony, come into the countye of Herforde, and to cities, boroughes, townes, fayres, and markets, within the same county, and therby sell, and tary by the space of thre or foure daies, and after returne into their countrey without greuaunce, it is ordayned, ye if the sherife, vndersherife, or any minister of ye king, mayours, bailifes of tounes & boroughes, or any other person cōuersant within the sayd county, know, or se any such person indited, or outlawed, in the county, that he may arrest, take, & bring him to the gaile, there to deliuer hym. And in case that any such persō indited or outlawed, disobeye the arest, thē he (against whom such resistence is made, to leuy hue, and crie, & euery person conuersant in the saide county, & hearing the hue & crie, shal come & aid him that leuied it, to take the misdoer, & in case thei can not

comynge into ye county of Herford.

hue & Crie.

not take him, thei shal pursue him out of ẏ said countye, with hue & crie, & sherifes, vndersherifes, maiors, bailiffes, & other ministers dwelling there, & hearig such hue & crie, shal do due executiō of the said ordināce, vpō pain, to make fine & raūsom, & in like maner the other inhabitantes there, that is to wit, euery knight an hundreth shillings, euery Esquier. xl. s. & al other inhabitauntes. xx. s. And the Justicers of the peace haue power to enquire, heare and determine all defautes, & negligences of the sayde sherifes, vndersherifes, and their ministers, & also of the mayours, Baylifes, & other inhabitāts, hering such hues & cries. An. 23. H. 6. ca. 5.

No sherifes shal lease to ferme his cōntie, nor his bailiwikes, hūdreds, or wapentakes, in any maner. Nor no sherife, vndersherife, bailife of liberty, nor other bailife shal returne vpon any writ, or precept to them directed, to returne any inquest or panel to be made, any baylyfes, officers, or seruātes, or any the ministers aforesaid nor none of the saide officers, & ministers, shall take any thing by themselues, or other to their vse of any person by them to be arrested, nor of noue other, for them for the omission of anye arest, or attachement to be made by the body, for fine, fee, suit of prisō, Mainprise, lettig to baile or shewing of any case or fauour to any person so arested, or to be arested for their rewarde or profite, otherwise thē as herafter ensueth, that is to wit, for the sherife. xx. d. for the bailife, that maketh the arest. iiii. pens. And that the sherife, vndersherife, the sherifes clarke, Stewarde, or

Baylife

Shiriffe, vndershiriffe. Baylyffe. retorne. arrest.

Baylife of liberty, Sergeaunt or Baylife, nor Cozoner by himself or other to his vse shal take any thing for making any retourne or panell, and for the copy of the panell. iiii. d. And that the sherife, and all other officers may let out of prison any maner of persons arrested by bill, writ, warrant, or accion personall, or indictemēt of trespas vpō reasonable suerty within the cōnty, to kepe their day in such places as the sayd writs, or warrātes require (those that be condemned or outlawed, excommunicate, or taken for suerty of the peace, or by the cōmandement of any iusticer, & vagarantes refusing to serue excepted.) And no sherife, nor none of his ministers, shal take or cause to be take, any obligacion for any cause aboue mencioned, except to thēself in the name of their office, & vpō cōditiō that they shal appeare at ye daies cōtined in the saide writs, & warrants, as the places &c. And if any of thē take an obligaciō in other forme by colour of his office, it shalbe void and he shal take nothing for making of such an obligacion, but only. iiii. d. And ye euery sherife make a deputy of record in the Chauncery, the bench, & the Eschequer, before that he returne any writs. And that the sherife, vnder sherife, & their clarkes, bailifes, gailours, cozoners, stewardes, bailifes of liberties, or officers doyng cōtrary to this ordinācē, shal yeld vnto ye party so greued his treble damages, & to forfait the some of. xl. li. for euery time, ye one motty vnto him ye wil sue & the other part vnto ye vse of the kinges houses. And ye iusticers of assise in their Sessions,

restorme.
Pandell.
Copy of ye pandell.
Sheriffe, & other officers may let out of prison &c.
obligacion.
Deputie.
forfaite

Sessions, & the iusticers of eyther bench, & iusticers of peace haue power to enquire, heare, & determine of office, without commissiō of the, that do the contrary. An.23.H.6.Cap.2. 0.

The sherifes of euery shire in their next cōtye being holden after the deliuerance of writs, for to leuy the expēses of knightes of the Parliament, shal make proclamacion that the sayde Coroners and euery chief cōstable of the peace of the said counties, & the bailifes of euery hūdreth, and wapentake, and al other that wil be at the assessing of the wages of knights, shalbe at the next cōtye, there to be holden for to assesse their wages. And ỳ the sherife, vndersherife, Cozoner, or bailife must be there at the same time in their proper persons, vpō pain for euery of thē being absent, to forfait foure shillings, and the Sherife or vndersherife in presence of them, that shall come thyther, shall well and duely assise euery hundreth, assessable by it selfe, at a certain somme, so that the hole somme of al the hundreth, shall not excede the somme that shalbe due to the said knightes, and afterward in the same county he shal assesse, wel and lawfully euery village within the hūdreds thereunto assessable, so that the hole somme of al the Townes excede not the somme assessed vpō al the hundreds, wherof thei be, and that thei leuy no more then so much as thei wer assessed vnto, and if any doo, or will assesse otherwyse, then afore is sayde, thei shall forfait for euery defaute twenty pounde to the kynge, and he that wil sue, shal haue ten pounde. And the Sherife

knyghte of ye Parlyament.

shall

Shirifse levy the money assessed.

shal leuy the money so assessed, as hastly as thei can, and shal make paymēt vnto the knightes, vpon the saide paines, and he that will sue in that cause shalbe admitted therto, & shal haue a (Scire facias) againste the offendour, and in case the defendant be warned and make defaut or be conuict, the plaintife shal recouer. x. pound to his proper vse, aboue the said twenty pound with his treble damages for the costes of hys suit. And the Iusticers of assise, and gayle deliuery, and Iusticers of the peace, haue power to enquire, heare & determine those defautes, as wel by inquiry at the suite of ye kinge, as by accion at the suit of the party. And this act must be comprised in the writ, to leuy those expenses Anno. vicesimo. iii. H. vi. Cap. xi.

It is ordayned that a seruant of husbandry purposing to depart from his master at the end of his terme, and he that couenāteth with him shal geue warning thereof vnto his master at the middes of ye terme, so that his maister may prouide him of another seruant. And if any couenāt with any seruant be otherwyse made, or that such warning be not geuen, the couenant shalbe voide & the seruant shall be cōpelled to serue his olde master for the next yeare, except that a lawful cause happē of a latter time. Also the statute limiteth the wages of seruantes & artificers. But those wages are changed by the statuts made in the time of Henry the. vii. & Hēry the. viii. Moreouer no labourer, ne artificer shal take any thing for festiual dayes, ne for worke daies, but after the rate of the day, &

if

if any refuse to serue according to the rate, the iusticers of the peace haue power to cal them & examine thē, & those whō thei shal fīd defectiue to cōmit to ẏ gaile, vntil thei shal finde suerty to serue in forme aforesaid &c. And if any seruāt artificer, or labourer cōtrary to the p̄misses refuse to do seruice, for not geuinge of wages, cōtrary to the statute, he shal lese.xx. shillinges to the party that wil sue. And the Iusticers of the peace haue power to heare and determine al such offences, aswell at the suit of the kinge as of the party, & euery one that wyl, may sue against any that doth offend, and the proces is attachement, Capias & Exigent. And the Iusticers of the peace shal assesse no fine, vpō any that is cōuict vpon any estatute cōcerning labourers, or artificers vnder the summe of thre shillinges & foure pens, & thei shal twise euery yere in their sessiōs cause al the statutes made cōcerning laboures, Artificers, inholders, vitailers seruauntes & vagabundes. And no man shalbe excused to serue by color that he holdeth lesse lādes then the husbādry ther of shal suffise for the continual occupacion of one man. Also the iusticers of the peace haue power to take al seruantes retayned with any ꝑson by colour of husbādry, & not duely occupied about suche busines, as seruātes ought to do by ẏ law, vnto thē that shal req̄re thē to serue in husbādry and to iustify them in al pointes as thei may do of vagabundes. An. vicesimo tercio. H.6. ca.13.

If anye Minister of the wardeyne of the courtes of the Estmarche, or the westmarche

attach

attach any person by his body, or by his goods of the countyes of Northumberlãde, Cumberlande, westmerlande, or of the towne of Newcastell, to aunswer any of the sayd courtes. It shalbe lawful to the parties so beyng attached to make resistence, and to disobey it, and if any be greued by such attachement, he shal haue writ of trespas, or false imprisonmẽt & recouer treble damages, and the defendant shall haue two yere imprisonment, and pay an hundreth s. vnto the king. And Iusticers of the peace in their Sessions, Sherifes, in their turnes and stewardes of leates haue power to enquire of such attachment & therupon to procede, as they may vpõ presentment taken before thẽ in their Sessions, Turnes, or Leates of Trespas done against the peace. In. xxxi. H. vi. cap. iii.

The king hath ordeyned by the auctoritie of his Parliament, that euery inditement to be takẽ within any coũty of the realm of Englãd (out of the county of Lancaster) before any iusticer or sherife in his turne wherby any persõ cõuersant within the sayde county of Lãcaster & out of the same county where such inditement shal hap to be taken, shalbe indited, that no processe shalbe made therupõ, before it be duely examined & enquired before the iusticers hauing power to award processe vpon the same, whether the foresaid inditours and euery of them, or any other person or persons vnto theyr vse had landes or tenemẽtes to the yerely value of an hundreth shillinges within the same county aboue al charges. And if it be found before one

lourain Lord ỹ king, or any of his iusticers, that the same inditours, or any of them at the time of the inditement, or any other vnto their vse haue not landes, & tenementes to the said value of an hundreth shillinges by ỹ yere that then the foresaid inditementes against those persons conuersaunt within the said county of Lancaster shalbe voyd to all intentes, and of noforce. An. xxviii. H. vi. cap. ii.

¶ The statutes of kyng Edward the fourth concerning the auctorite of Iusticers of the peace.

IT is ordayned that vpō inditemētes and presentmentes taken before sheriefes in their turnes or lawe dayes, they shall haue no power to attache or imprison any person, and to leuye any fines & amerciamentes of them that shal happen to be indited, but the sheriefes of their ministers shall bringe and deliuer them to the iusticers of the peace, at the next Sessions holden within the said counties. &c.

And if the sheriefes, or such ministers do not bring, deliuer, nor present al such inditemētes, & presentmentes before the iusticers of ỹ peace at the said sessions the ỹ sheriefes, vndersheriefe, their clarkes & ministers, & euery of them that shal faile in bringing & presenting of such inditemētes &c. shal forfait. xl. li. to the king as often as thei shal do to the cōtrary. And ỹ. iusticers of ỹ peace haue power to award pces vpō such

inditementes

attach any person by his body, or by his goods of the countyes of Northumberlãde, Cumberlande, westmerlande, or of the towne of Newcastell, to aunswer any of the sayd courtes. It shalbe lawful to the parties so beyng attached to make resistence, and to disobey it, and if any be greued by such attachement, he shal haue a writ of trespas, or false imprisonmẽt & recouer treble damages, and the defendant shall haue two yere imprisonment, and pay an hundreth s. vnto the king. And Iusticers of the peace in their Sessions, Sherifes, in their turnes and stewardes of leates haue power to enquire of such attachment & therupon to proceede, as they may vpõ presentment taken before thẽ in their Sessions, Turnes, or Leates of Trespas done against the peace. An. xxxi. H. vi. cap. iii.

The king hath ordeyned by the auctorite of his Parliament, that euery inditement to be takẽ within any coũty of the realm of England (out of the county of Lancaster) before any iusticer or sherike in his turne whereby any persõ coũerslant within the sayde county of Lãcaster & out of the same county where such inditemẽt shal hap to be taken, shalbe indited, that no processe shalbe made therupõ, before it be duely examined & enquired before the iusticers hauing power to award processe vpon the same, whether the forsaid inditours and euery of them, or any other person or persons vnto theyr vse had landes or tenemẽtes to the yerely value of an hundreth shillinges within the same county aboue al charges. And if it be found before the

souerain

souerain Lord ỹ king, or any of his iusticers, that the same inditours, or any of them at the time of the inditement, or any other vnto their vse haue not landes, & tenementes to the said value of an hundreth shillinges by ỹ yere that then the foresaid inditementes against those persons conuersaunt within the said county of Lancaster shalbe voyd to all intentes, and of noforce. An. xxxiii. H. vi. cap. ii.

¶ The statutes of kyng Edward the fourth concerning the auctoritie of Iusticers of the peace.

IT is ordayned that vpō inditemētes and presentmentes taken before sheriffes in their turnes or lawe dayes, they shall haue no power to attache or imprison any person, and to leuye any fines or amerciamentes of them that shal happen to be indited, but the sheriffes of their ministers shall bringe and deliuer them to the iusticers of the peace, at the next Sessions holden within the said counties. &c.

And if the sheriffes, or such ministers do not bring, deliuer, nor present al such inditemētes, & presentmentes before the iusticers of ỹ peace at the said sessions thē ỹ sheriffes, vnder sheriffe, their clarkes & ministers, & euery of them that shal faile in bringing & presenting of such inditemētes &c. shal forfait xl. li. to the king as often as thei shal do to the cōtrary. And ỹ iusticers of ỹ peace haue power to award pces vpō such

inditementes

inditementes and presentmentes as the law requireth, and as if they had ben taken before the same iusticers of the peace, & to make fines with them that be indited of trespas, the extreates of which fines and amerciamentes, must be enroled, & deliuered by indenture to the sherifes, or to their ministers to ẏ vse of him that was sherife at the time of the ĩditemẽt taking. And if any sherifes or their ministers cause any person to be attached, or imprisoned, or take or leuy any fyne, or amerciament of any person so indited by colour of suche presentmentes in their turnes of law dayes, tofore that thei haue processe from the Iusticers of the peace, or that the extreates out of the same inditementes be deliuered, then the sherifes that so do to forfait one hũdreth poũd, ẏ one moite to be emploied to the vse of the kinges house, and the other to the party endamaged, by an action of debt at the common law where non Essoyn, proteccion ne wages of the law shalbe admitted.

Prouided that this act extende not to them that haue letters patentes before of fraũchises that haue such fines and amerciamẽtes. Anno primo. Edwardi quarti. cap. ii.

No alien or other person for him shal bye or ship any wolles, felles, fleces, Worlig or shorlyng in Englande or wales, or cary thẽ out frõ thens. Nor no ꝑson to cary any wolles, felles, fleces, Worling or shorling of the growyng of the coũtrey on this side the wat̃ of Tease, ouer the same wat̃ toward ẏ north, vpõ pain to forfait thẽ, ẏ moite to hĩ that shal proue it lawfull

and

and finde suche byeng, shipping & cariage contrary to this estatute, except wolles, wol felles, fleses, morlinge or shorling, or the growing of Alderton shyre and Richemonde shyre, & that none of the sayde wolles, felles &c. so beynge shipped, be caried to any other place out of the realme, then to Cales, that wolles, felles &c. of the Counties and places before mēcioned only except. And who that doth the contrary shall forfayte all his wolles, felles &c. or the value of them, the moyte to hym that shall proue the forfayte, & the sayde wolles, felles &c. shalbe seased. Moreouer none shal ship any wolles, felles &c. of the growing of Northūberlande Cumberlande, westmerlande, Durham, Aldertō, or Richmōd shyre, but only to Newcastel, vpon payne of forfayture of the same, the moytie to any the kinges liege men dwellynge in the towne of Newcastel, that will sease the sayd forfayte, to be employed to the profite of the towne. Also none shall cōuey, cary, or cause to be conueyed or caried any wolles, felles or fleses, to any other place thē to Cales (except before excepted) vpon peyne of two yeres imprisonment, and to forfaite the value of suche wolles &c. the moyte to him that shal espye, & sue for the same forfayte by Action of det, aswell for the kyng, as for himself, in the Coūty where such forfayture shalbe made, in whiche Actiō no wager of law, Essoyn, nor protection shal lie. And no marchaunt of the Staple shall sel, vtter, or alyene the purpartie of the sayde marchādise in any other place out of ẏ realme

but only at the staple of Calez. Furthermore it is ordeyned, that the same wolle be well and lawfully enrolled without any decepte, vpon peyne to forfaite vnto the kinge for euery flese wherin defaulte is found. vi.d. And Iusticers of the peace in euerye countie haue power to enquire of the saide disceite, & to heare, and determine the defautes aswell by examinacion as otherwise. An. iii. E. iiii. cap. i.

And this discepte is by puttinge of lockes in the wolles, or peeces of worse woll, then of the same fleese, or by puttig to of earth, stones, rubbel, filth, or Sande.

Euery whole cloth redy to be sold, muste conteyne foure and twēty elnes in length, and to euery elne one ynche by the creste, & two elnes or seuē quarters in bredth within ȳ lyst at the leaste. And if the cloth be lenger, the bier shall pay accordingly, and clothes called Streytes shall conteyne in length twelue elnes, and the ynche as is aforesaid, & an elne in bredth within the listes, & euery Karsay eyghtene Elnes and an ynch, & in bredth, a elne and the nayle or at the leaste an elne within the listes. And euery whole cloth, Streites, & Kerseis shal kepe the measure in length, & bredth after the rate, & none shall put in cloth any lambes woll flockes, seime, or corke, vpon peine to forfaite twenty shilliges for euery clothe or half cloth, the moyte to him that shall seale & duly proue it. Howbeit it shalbe lawfull to any person to make clothe of lammes woll by it selfe, and corke may be vsed in dieng vpon wolles wod-

ded

ded, and in dieng of al such clothes as are made of wodded wolles, so that the wolles & clothes be perfitly boyled and maddered, & that seales be ordeined, & put to ỹ clothes, to haue knowledge of what brodenes and length &c. they be. And that the Treasourer of England shal assigne kepers of the said seales whiche shalbe rewarded by the discretion of the treasourer & Barons of theschequer, and the kepers shall forfayte for euery defaute. xx.s. the moyte to him that will proue the offence. And that euery clothmaker, giue to carders spinners, & al other labourers, of any membre of the same, lawfull meney for theyr lawful wages, and also to deliuer the wolles to be wrought accordyng to the pounde, and due weyght, vpō peine to forfayte to the same labourers the treble of theyr wages not paid as often as the clothemakers shall refuse to paye, in fourme aforesayde, and further to forfayt to euery suche labourer for euery pouñd of excessiue, and lawful weyght to him deliuered to be wrought, for euery defaute. vi.d. And that euery Carder Spinner, weauer, Fuller, Shearer and Dier of clothes, shal do his labour duely, vpō peyne to yelde to the party greeued double damage. And that euery Fuller, Dressour or taseler of clothes shal exercise tasels, & none shal Carde clothe empairing it discernyble vpon paine to render double damages to the party. And Iustices of the peace, Mayres, Bayliffes, Constables, and stewardes kepinge letes or lawdeys, and yerte bayliffes within the li-

mites of their office, haue power to heare & determine the complaintes of euery clothmaker, & labourer, aswel for not paymēt of the wages of labourers, as of the said forfaiture, and damages by due examinacion of the parties in that behalfe, for not payment of the saide wages, and forfayture, and for the sayde damages to commit the Trespassours to the next Gayle within the shire, there to remayne vntil the sayde duries, forfayture, and damages be payed to the sayd labourers, or makers of clothes. Also the said Iusticers, or other officers vpō complaint made vnto them by any persōs greued, haue power within their Iurisdiction to cause the party (against whom suche informacion is made) to come before them, and to examine him, and in case he be found gylty by examinaciō or other due proues in that behalf: then for euery time that he is so found, to forfayte vnto the king, or vnto suche as are entiteled to haue fines & amerciamētes, for offences done within their iurisdictiō. iii. s. iiii. d. & vpon cōplaynt to make suche processe against the offenders, as they should do vpon a suerty of the peace demaunded before Iusticers of the peace. Anno. iiii. Ed. iiii. cap. ii.

Note that the assise of clothes conteyned in the statute precedent is altered by an estatute made the fyrst yere of king R. the thyrde. Ca. viii. Also there is a good estatute made the eyght yere of E. the. iiii. capi. i. for makynge of clothes in the counties of Essex, Norfolke, & Suffolke, of what length bredth, and weyght

they

they should be, and in what wyse they must be ensealed, but there is no aucthorite giuen to Justicers of the peace to enquire thereof, and therfore it is not abridged here.

No person shall gyue lyuery, or sygne, nor retayne anye person, but his houshold seruant, officer, or councel learned in eyther lawe by writing, othe, or promisse, vpon payne to forfayt for euery suche lyuery, or sygne gyuen an C.s. and the retayner, so taking of suche an othe, writing or promisse, or reteyner by indenture, for euery such writing or taking. &c. shall forfayte for euery moneth an. C.s. that any is so reteyned by othe, writing. &c. Also euery person so retained by such indēture, or ꝓmise, shal forfayte an. C.s. for euery moneth. And euerye person that will complayne before the Justycers of eyther benche, Justicers of the peace, Justicers of Oyer, and terminer, Justicers of Gayle delyuery, and Justicers within the Counties palantine of Lancaster, Chester, Durham, Examshyre agaynst anye that offendeth agaynst this estatute let him be admitted to giue informacion therupon, and to sue for the kinge, if he wyll, and this informacion shal be in stede of a byll, or writ Originall, and the processe there vpon shalbe as in a writ of trespasse against the peace. And if any of the offenders be present, he shalbe put to aunswer therto, neuer the lesse, the enturner shalbe fyrste sworne vpon a booke, that his informacyon is true, and euerye of the Judges in the same court haue power to examine the defendantes

therupon, & to conuict them aſwel by examinacion, as by triall, and the plaintiffe ſhall haue his coſtes by the diſcrecion of the Iudges in caſe the defendant be conuict, and the moyte of al the forfaites, & the executiõ ſhalbe as in det, and treſpas. And no ſhiriffe ſhal returne vpon any defendãt ỹ is ſufficiẽt ieſſe illues thẽ. xx.s. at the firſt day. xxx.s. at ỹ ſecõd. xl. at ỹ thirde, & euery day after. x.s. more. And if any ſhiriffe or Coroner do contrary, thei ſhal forfaite. xx.s. for euery returne. And in Cities, Boroughes, Townes & portes, euery Mayour, Bailiffe, or chiefe Officer, hauing power to heare & determine Plees perſonal, ſhall haue like power & auctorite to receiue ſuch informacions, and to heare and determine them aſwell by examinacion, as by trial, at their diſcreciõ, and the king ſhall haue the one moyte of the forfayte & the informour, the Bailiffes, Mayours and chiefe officers, the other parte, to be equallye deuyded betweene them, and the parte belonging to the Mayour or cheſe officer, to be employed to thoſe of the towne, & Citie and oute of Cities and townes. &c. The kinge ſhall haue the moyte, except ſome other perſon ought to haue it by reaſon of any graunte or libertye. And none ſhalbe awarded in any counties palentine, vpon any ſuch informacion of reteyners, or lyueries. An. viii. Ed. iiii. Cap. iii.

None ſhal take vpõ him the office of Eſchetour, nor occupy the ſame by himſelfe, or any other, excepte that he or ſome other to his vſe haue landes, tenementes or rentes, for terme

of

of life at the least, to the yerelye value of .xx.li. in the same cõtie, nor shall let the said office to ferme, and that he shall certifie the name of his deputie by his letters patentes before the Treasourer, & Barõs of thescheqer within .xx. dayes after his deputaciõ. And that no deputy take vpon him to occupy the sayde office, excepte that thescheteour haue landes or tenementes to the yerely value of .xx.li. And if any person do contrary to the premisses, he shall forfayte .xl.li. for euery defaute, the one moite to the king to the vse of his house, & the other moyte to the partye that will sue therfore by inaction of det. And that Justicers of the peace in euery coũty shall enquyre, heare, & determine euerye suche forfayte vpon presentment made before them in their sessions, and the processe shalbe, as in an inditement of tresspas (quare vi et armis) but that shall not extende to Eschetours in Cities & Boroughes. In. xii. E. iiii. Cap. ix.

Euery person that vseth the occupacion of making of tyles, shal make them good & able and throughly whited, & annealed, & that the earth wherof they shalbe made, be digged, and cast before the first day of November next before that it shalbe made, and that it be styred and turned before the firste day of Februarye next ensuing the sayde dygginge, & lyenge, and not to bee wrought before the fyrste daye of Marche then next ensuing, & that the earth be tryed from stones, and beynes called Malme and Merme, or chalke taken therof, and euery

whole tyle ſhall conteyne in length ten inches & an halfe, & in bredth ſixe inches & a quarter, and an inche and halfe quarter in thickenes at the leaſt, and that euery ridge tyle conteyne thyrtene inches in length, & an halfe inche and halfe quarter in thickenes, and that euery gutter tile conteyne in length ten inches and an halfe, with conuenient thickenes, bredth, and depenes accordingly. And if any perſon put to ſale anye tyle made contrary vnto this ordinaūce, he ſhal forfayte the double value of the ſame tyle to the kier, and ſhall make fyne, and raunſome at the kinges pleaſure, and the partye greued ſhal haue an action of det, wherein he ſhall recouer his reaſonable coſtes & expenſes, & no Eſſoyn, protection, ne wager of lawe to lye therin. And the Iuſticers of the peace haue power by their diſcretiō to enquire, hear and determine the ſame, aſwel by examination as otherwyſe at the ſute of the king, or ỹ partie greued, & if the defaute be founden before, then they ſhall aſſeſſe no leſſe fine, then, v.s. for euery thouſande tile made contrary to this ordinaunce, and for euerye hundreth roke tyle vi.s. and eyghtpens, and for euerye hundreth corner, or gutter tyle two ſhillinges. And the Iuſticers of the peace may cauſe to come before them, ſuche perſons as haue experience, or knowledge in the occupacion, to ſerche and examine the diggynge, tyenge, tourninge, departynge, making, whiting, annelyng, aforeſayde, and that none put anye tyle to ſale before that it be ſerched by the ſerchour, vpon peyne

to forfayte it. And if the serchours fynde anye defaute, they shal present it at the next Sessiõs vnto the Iusticers, & euery suche presentment shalbe as Inditement founde by xii. men. And the serchours shall haue of the tylemaker for euery thousande whole tile a peny, and for euery hundreth roufe tile, one halfpeny, and for euery hundreth corner, or gutter tyle, a farthinge. And the serchours shall do their effectuall deuoire, & diligence, vpon peyne to forfayte for euery defaute, ten shyllinges. And the Iusticers of the peace haue power to enquire, examine, and determine the defautes of the serchours aswel as of the tylemakers. An. xvii. Edwardi quarti. Capitulo. iiii.

¶ The statutes of kyng R. the. iii. concerninge the auctorite of Iustyces of the peace.

IT is ordayned, that the Iusticers of the peace shal haue auctorite to enquire i their sessions of the escapes of any maner of person arested, and imprisoned for felony. An. &c.

¶ The Statutes of kinge Henry the seuenth foloweth hereafter.

IT is ordeyned that the statute of ye first yere of king Henry the seuẽth, made for Tanners, be kepte. And ye no Tãner, while that he occupieth the mystery of a Tanner, nor none other to his vse, vse the mistery of a Cozyer, nor blacke no leather to be put to sale, vnder peyne of forfayture of euery hyde so cozyed, syxe shillinges

and

and eyght pens, and that no coziers cozie anye leather but ſuche as is ſufficiētly tanned, vpon peyne to loſe foz euery hide ſo cozyed .iii.s.iiii. d. the one halfe to him that findeth, & proueth it befoze any Juſticer of the Peace, Bayliffe, Shyriffe, oz any other chief gouernour of any Citie, bozough, oz anye towne of the fiue pozts, & ỹ other halfe, out of Cities, Bozoughes, oz townes of the fiue pozts to the kinge, and within the ſaide Cities, bozoughes, & townes, of fiue pozts to that vſe of the comminalty there. And that no tanner, noz no other perſon to his vſe, put any leather to ſale, but red as it commeth from the tanner, vpon peyne of foz-faytynge of the lether, the foxfayte to be deui-ded as is afoze ſayd. And that no Cozier occu-py the myſterie of a tanner, while that he occu-pieth the myſtery of a Cozier, vpon peyne to foxfayte foz euery hide ſo beyng tanned by him oz by any other to his vſe, ſix ſhillings & eight pens, the one halfe vnto the kynge, and the o-ther halfe to him that will ſue by accyon of det oz playnte in his owne name. And that no tan-ner do tan any ſhepe ſkynnes, vpon peyne of foxfaytynge of twenty pens, foz euerye ſhepe ſkynne. And the Juſtices of the peace, may-ours, Bayliffes, and other Gouernours in Cities, Bozoughes, Townes, haue power to enquyze, heare, and determine the ſayde de-faultes, and foz to put euery artycle in due ex-ecution. An.i.H.vii.Cap.v.

Alſo it is ozdeyned that euery ſuche tyme as inforꝛmacion ſhalbe made to any of the kinges

counſell

counsel, or to anye Justicer of the peace in the County of any vnlawfull huntinge by nyght, or with paynted faces, then it shalbe lawefull vnto any of the sayde counsel, or Justicers of the peace of the county, vnto whom suche informacion is made, to make a warraunte vnto the shyrike, or other Officers for to take the same person to appeare before the same Justycers, or some other Justicers of the peace of the same countye. And the Justycers of the peace afore who the same person is so brought by his discretion haue power to examine him of the sayde huntinge, & of the other misdoers in that behalfe, & yf he wylfully conceale the sayd hūting, or any person with him defective, then the same concealment agaynst euery person or concealinge is felonye, and the same felony to be enquired of, & determined as other felonyes, & if he confesse the trouth, & all that he shalbe examined of, & knoweth in that behalfe the same offence to be but trespas, finable at the nexte sessions in the same countye to be assessed. And if rescous be made to any pson that doth execute the same warraunt by hym that should be arested, so that execucion be not had, thē the same rescous to be felonye, enquyrable and to be determined as is aboue sayde, and if any person be conuict of any suche huntinge with paynted faces, visors or otherwyse disguised not to be knowen, or of huntinge by nyght, then the same person so cōuicted to haue lyke punishemente, as yf he were conuicte of Felony. An. i. H. vii. ca. vii.

Also

Also it is ordeyned that the Justicers of the peace may take by their discrecion one inquest (whereof euery man may dispende fortye shyllinges at the leaste of lande) to enquire of concelement of other inquestes taken before them and before other for suche matters, as be to be enquired of before iusticers of the peace whereof cõplainte shalbe made by bill in franchis, or without. And if any cõcelemẽt, be foũdẽ within one yere after the cõcelemẽt, thei shalbe therfore amerced by discrecion of the Justicers of the peace. And if any person be slayne in ỳ day, & the murderer escape, the towneship shalbe amerced where the dede was done. And iusticers of ỳ peace haue power to enquire of suche escapes, & to certify them into the kinges bẽch, & after the felony founde before the Cozoners they shal deliuer the inditement before the Justicers of the nexte Gayle deliuery there in the countye to procede vpon if the prysoner be in the Gayle, or els they to certifye it in the kings bench. Also euery Justice of peace that taketh any recognisaunce for the peace, shall certyfye or sende the same recognisance at the next Sessions (where he is Justicer) that the party may be called, and yf the party make defaute, the same defaute to be recorded, and the same recognisaunce with the recorde of the defaute to be certified in the Eschequer, or kinges bench, or chauncery. An. iii. H. vii. cap. i.

Also it is ordeyned that the Justicers of the peace, or two of them at the leaste, whereof one to be of the (Quorum) haue auctoryte to let

pri-

pryſoners & perſõs maynpernable to bayle vn-
to the next generall Seſſions, or next Gayle
deliuery in the ſame county, & the ſame Juſti-
ces to certifie the ſame bayle at the next ge-
neral Seſſions or gayle deliuery in the ſame
ſhire vpon peyne to forfayte ten pounde. And
that euery Shiriffe, & Baylife hauing the ke-
pinge of Gayles do certify the names of euery
perſon in their kepinge and of euery perſon to
the cõmitted for any cauſe at the next generall
gayle deliuery, that the iuſticers may procede
to make deliueraunce of ſuch pryſoners accor-
ding to the law, vpon payne to forfayte an hũ-
dreth ſhyllinges for euery defaulte there re-
corded. An. iii. H. vii. cap. iii.

Alſo it is ordeyned that euery Juſtice of the
peace in the ſhires (where they be Juſticers)
do cauſe openly, & ſolemply to be proclaymed,
foure times in the yere, in foure principal ſeſ-
ſiõs the tenure of this proclamaciõ folowing.
Henricus dei gracia &c. the king our ſouerain
lord &c. As it appeareth in ỹ boke of ỹ ſtatutes
And euery Juſticer of the peace beinge pre-
ſente at any of the ſayd Seſſions, if thei cauſe
not the proclamaciõs to be made, ſhal forfayte
twenty ſhillinges to the king. An. iii. H. vii.

Alſo it is ordeyned that all ſtall botes, & en-
gins made for diſtruction or taking of frye or
broode of fiſhe in the hauen of Orforde, be
not occupied nor vſed, vpõ peyne of forfaiture
of ten pond at euery time, the halfe to him that
ſhal finde the ſame, & ſue therfore by infor-
maciõ into the Eſcheker. And the Juſtices of the

peace

peace in the shyres of Norfolke and Suffolke haue power to enquire in their general Sessions of al boates, nettes, & engins vsed contrarie to this ordinaunce, & to punishe the offendours by their discrecion. An. xiii. H. vii. ca. i.

And it is ordeyned that if any Souldeours being reteined, or that take any prest to serue the kinge vpon the sea, vpon the lande, or beyonde the sea, departe oute of seruice without lycens of his Captayne, that suche departinge be adiudged Felonye, & the offendour to haue suche like punishment of Felony. And the iusticers of the peace where any such offendours is take, shall enquire, heare and determine the same as though the offence were done in the same shyre. And the departer, and the retenours (if they be trauersed) shalbe tryed in the same shyre where they be arrested.

It is ordeyned that the king at his owne costes do let to make weyghtes and measures of brasse accordinge to the staderde in the Eschekier, and that the sayd weyghtes and measures be deliuered to the Cittizis, & Burgesses of the chiefe Cities or shire townes, or Boroughes of euery shire, or to ye chief officers of the, by indenture made betwene the Treasorer of England, & the sayd Cittizyns, Burgesses, or other of the chiefe officers, and there to rest as the kinges Treasure, for the entent that all weyghtes, & measures may be refourmed & amended, and made accordinge. And euery chiefe officer of the same cities, Boroughes and Townes shall haue a speciall marke, or

seale

ſcale to marke euery weight, & meſure brought to him without delay. And to take for euery bothyll a peny, and of euery other meaſure an halfpeny, and of euery hundreth weight, a peny and of euery half hundreth weyght an halfpeny, and of euery weyght vnder a quarter, and not aboue vpon peyne to forfayte. xl.s. for euery time that he refuſeth or dothe contrarye, halfe to him that is greeued that wil ſue for ỹ ſame by action of det after the courſe of the common law, & no wager of lawe to be admitted. And the iuſtices of Peace haue power to inquire, heare & determine the ſame defautes. And that no man bye nor ſel, by other weyghtes or meſures, thē is accordinge to the ſayd ſtandarde, vnder the peynes limitted in the ſtatutes of weyghtes and meſures. Alſo it is ordeyned ỹ the ſheriffes, Mayres, Bailiffes, & all other Gouernours of Cities, boroughes, villages & other places, make due ſerche to take all Vagabundes, idle, and ſuſpecte perſons, and them ſo taken, to ſet in the ſtockes three dayes, and three nightes, & to haue but only bread & wat, & aft to be had out & ſet at large, & if he be take againe in the ſame towne then to be ſet in the ſtockes. vi. dayes lykewiſe with like diet, & if any perſō giue thē any other meate, to forfaite for euery time ſo doing, xii. ſ. or fauorynge of thē in their miſdoing. And that al maner of beggers, reſt & bide in, the hundreth where they laſt dwelled, or where he is beſt knowen, or borne, without begging out of the ſayde hundreth, vpon peyne to be puniſhed as is afore

ſayd

ſayd, & that none be excuſed by that, that he
a clerke of the vniuerſitie without he ſhew
letters of the chaūcellor of the vniuerſitie fr
whēce he cōmeth, or for that he is a ſouldeour,
ſhipman, or traueling man, without he bryng
a letter from his captayne, or frō the Towne
where he landed, and to be cōmaunded to go
ſtreyght the high way to his Coūtrey. And
the Sherike or other officer execute not the
premiſſes of euerye Vagabounde, Hermite, or
beggar able to labor, clerke, Pilgrime, or ſhip-
man as oft as any ſuche commeth to his ſight,
or that he hath therof knowledge within the
Towne, where he hath auctoritе then as oft
as any ſuche miſdoers abide there by the ſpace
of one daye vnexamined, and vnpuniſhed, to
forfayte twenty pens for euery miſdoer ſo de-
parted, and the Lorde in his Leke, and the ſhe-
rike in his tourne to enquire, and to haue for
euery default, xx. pens, and the Sherike in his
Tourne to enquire of the eſcapes within the
iuriſdiction of his Tourne, and to haue. xx.
pens for euery default, and the forfaytes and
penalties within Cities, to be giuen to the al-
dermen of euery warde, to his owne vſe, and
diſtreine for ſuch penalties ſo giuen. And non
apprētiſe, ne ſeruaunt artificer play at the ta-
bles, but onely for meat & drinke, ne at tenis,
Cloſhe, Dyce, Cardes, Bowles, or anye other
vnlawfull games oute of Chriſtemas in his
maiſters houſe, or where that he is preſent, v-
pon peyne of impriſōmēt opēly in the ſtockes,
by one daye. And that the houſeholder whan

dyling

dising, carding, tenis playing, boules, clashe or any other vnlawfull games shalbe vsed otherwyse then is a foresaid, and lawfully presented before iusticers of ye peace or Maire or shirife in his turne, or stewarde in his Letes, or by examination had before the iusticers of the peace, ye proces be made vpon thesame as vpō an inditemēt of trespas against the peace, & no lesse fine to be admitted vnder sixe shillinges & viii. pens. And it shalbe lawfull to two Iusticers of the peace (wherof one to be of the Quorum) to reiect and put away common ale sellyng in townes and places where they thinke conueniēt. And to take suerty of ye kepers of ale houses of their good behauing, and the same to bee aduised at the time of the sessiōs. an. 11. H. 7. c. 2.

Item it is ordained that the inhabitauntes of al cities, boroughes and market tounes shal make or cause to be made common measures, & weightes according to the weightes and measures appointed by statute, and the same to remain in the same townes, and to be marked by the Maiers, bailifes, or other officers in whose possession the foresaid standard shal remain, & euery of the said mayres, bailifes, or other head officers, hauing the said weightes & measures signed and printed vnder the signe for thesame, with a letter. H crowned, to assigne & print like weightes and measures to euery of the kinges subiectes req̄ring the same, taking for markig of euery bushel a peny. No person in any citie or market town, bye nor sel with any weights or measures, except it be marked, nor any ꝑsō,

out of a city bozough, oz market towne except it be egall with the standarde, and that euery person without cities, bozoughes, and market townes as well without as within, bye & sell with a bushel sealed, signed, oz marked i maner & forme before said. And al officers twise in the yere shal cause al weightes & measures wtin cities, bozoughes & market tounes to be brought before thē, & to be examined, & such as be defectiue to be broken & brēt, & the party that hath offēded shal forfait foz the first default six shillinges, & eight pens. And at ỹ secōde time, xii. s, and foure pēs, & at the third time. xx. s. And to be sette on the pillozy, & the forfait of the one half of that said sixe. s. viii. d. to the Maiour oz other officers, hauing iurisdiction and correction in that behalf. An. 7. H. 7. cap. 3.

And two of the iusticers of peace, wherof one to be of the Quozū, haue auctozity aswel by examinaciō, as by inquiry, to heare & determine the defaut of the said mayours, Bailifs, oz other head officers in ỹ behalf, & of al biers & sellers doynge cōtrary to this act. And to set fine by their discretion, & that it be ozdained ỹ ther be but only eight bushels rated foz ỹ quarter, & xiii. pound foz the stone, & vi. stone to the sacke. And ỹ iusticers of the peace aboue said, haue auctozity to make like prozesse against psons found defectiue, and to set fine vpō them as if thei wer indited of trespas. And where it was ozdayned, that in euery towne that hath constable, shalbe common weightes sealed vpō certain penalties, those penalities extēd not to

any

any towne, that is Citie, Borough nor market townes, this act extend not to any persō bying or sellyng by water measure within the shippe boorde, and the water measure shal conteine .v. peckes after the standard rased and stricken. An. 7. H. 7. cap. 3.

Itē it is ordained ꝑ no sherife, vndersherife, shire clarke, nor other pson in their names nor by their cōmaūdemētes shal take nor enter no plaintes in their bokes in no mās name, onles ꝑ pleintife be in ꝑper pson in ꝑ court, or els by sufficiēt deputy ꝑ is knowē of good name, & ꝑ the pleintife shal finde pledges to pursue ꝑ same plaint, such psons as be knowē in the coūty & shal haue but one plaint for one trespas, or cōtract. And if ꝑ sherife, vndersherife, shire clarke take any mo plaintes thē the plaintife supposeth ꝑ he hath cause of acciō against the defēdāt, thē the sherife, vndersherife, or shire clarke ꝑ doth cōtrary shal forfait .xl.s. for euery defaut, halfe to hi ꝑ wil sue, & proue the matē by acciō of det or informaciō at ꝑ escheker. And euery iusticer of the peace shal haue auctority vpō complaint made by the party greued, to examine ꝑ sherife, vndersherife, or shire clarke, & plaintife. And if the iusticers or any of thē finde default in the sherife, vndersherife, or shire clarke, in entring of the said plaintes for their aduātage: thē they shalbe conuict therof without further inquiry, and to forfait fortye shillinges to the king for euery defaut, and the iusticers of ꝑ peace shall certify the same examinaciō withi one quarē of a yere next after, into the escheker, vpō pain of

fortye shyllinges. And the said sherike, vndersherike, & shyre clarkes shal cause to be made sufficient presentmentes vnto the Bailike of the hundreth, to attache and somon the defendant to appeare to the plaintes commenced. And yf there be any default in the bailike of the hundreth in warning of the defendant to appeare the plaintes cõmenced, or in executing of theyr office, then they to forfait. xl. s. to the king, and to be conuict by examinacion of euery Iusticer of the peace, as is before said, and the saide sherike, or vndersherike, shire clarke, or their deputies, shall make none estreates to leuy the sayd shire amerciamentes til that two Iusticers of the peace (wherof one to be of ꝯ Quorũ) haue had the ouersight of the same bokes, and that estreates be indēted betwene the said iusticers & sherikes & vndersherikes, & sealed with theyr seale, the one part to remain with the iusticers, & the other part with the sherikes to the intent to vnderstād if there be any vntrue demeanig in the making of the bokes. And the persons ꝯ shalbe gatherers of the said amerciamētes shal be sworne by the sayd iusticers ꝯ they take no more money thē is forfait, and conteined in the estreates sealed with the seales of the iusticers vpō pain of forfaitig as is before said, the same gatherers therof to be conuicted by examinacion of the iusticers of the peace, or one of them.

Prouided that the said iusticers of the peace be appointed at that general Sessions aft Wighelmas, by him that is (Custos rotulorũ) or in his absēce by him that is yelded of the quor to haue

haue the ouerlight & cõtrolemẽt of the sheriffs, vndersheriffes, and shire clarks, and other officers, & of the said amerciamentes. And the said Justicers of peace vpon suggestiõ or informacion of the party greued shal make processe of trespas against ẏ sheriffes, vndersheriffes, shire clarkes, & other officers to appere before thẽ, to aunswer to the said suggestion, or informaciõ. An. 3. H. 7. Cap. 7.

Itẽ it is ordained that it shal not be lawful for any person to take, or cause to be taken any Fesantes, Partriches by nets, or other engẽs vpõ ẏ freehold of any other persõ without special licence of ẏ owner, or possessor of the same, vpõ pain of forfaiting of. x. li. half to the party that wil sue for the same by acciõ of det, bill, or otherwyse, & ẏ other half to the owner, or possessor of the said grouñd, where thei be takẽ. Also ẏ no pson take or cause to be takẽ vpõ his own grouñd or by any other mãs, ẏ egs of any Faucõ, goshauke, Lenarde, or swan, out of the nest, vpon pain of imprisonmẽt by a yere and a day, and fine at the kinges wil, the half therof to be to the kyng, and the other halfe to be vnto the owner of the ground where thei wer takẽ. And the iusticers of ẏ peace haue auctorite to heare and determine the same aswel by inquisiciõ as informacion, & proces. And that no persõ beare any Haukes of the broode of Englande called Nies goshalke, Tarrel, Laner, Laneret, or Faucõ, vpõ pain of forfaiture of his Hauke to ẏ king, & thei that bring any such Hauke from beyõde the Sea, to bring a certificat vnder the

customers seale of the port, where he first lāded with the said Haukes, & if he come out of Scotlād thē vnder the seale of the wardē, or Lieutenāt of that march that he cōmeth from, testifying that the same Hauks be of the parties beyōd the sea of Scotlād, vpō the same paun. And ỳ no person take any Ayres faucon, Gosshauk, Tarsel, Laner, or Laneret, in their woodes or in any other place, or purposely driue them out of their couertes, nor sley thē but suffer thē at their liberty, vpon payn of ten pound, the one half to the kig, & the other half to him that will sue by action of det, by examinacion before Iustices of the peace, by informacio or otherwise. Prouided that the moity of the forfait geuē by taking of swā egs be to the owners of ỳ swās & not to ỳ owner of ỳ groūd. An. xi. H. 7. ca. 17.

Item it is ordained that where ỳ king to auoid disceit vsed in weightes, & measures did ordain certain weights, & measures to be deliuered & conueied to cities, borroughs, & townes specified in a cedulo annexed to the same acte, which after was proued defectiue: wherfore it is enacted that the measure of the bushel containing viii. galōs of wheat, & euery galō. viii. pōd of troy weight & euery pound cōtayning twelue ounces of Troy weighte, & euery oūce. xx. sterlinges and euery sterlinge to be of the weighte of xxxii. cornes of wheat that groweth in the middes of the eare of wheat, & that a standard of a bushel, & of a galon after the said assise remain for euer in the treasory, & ỳ bushels & galons sent to ỳ cities, borroughes, & townes

to

to be broken, and new made at the coſtes of the cities, boroughes, tounes, and there to remain. And that al buſhels to be made, be marked and ordred after ẏ forme of the act made. An.11.H. 7.& the act made. An.11.H.7. to ſtand in his effect with the penalties vpon the ſame buſhels & galons new to be made as it was vpon the other buſhels, and galon made before this acte, as if this act had not ben made. An 12.H.7.c.5.

It is ordayned that no perſon which hath no Parke, Chaſe, nor foreſt of their own, kepe or cauſe to be kept nets called Dere hayes, buſk ſtalles, or hayes, vpon payn to forfayt for euery moneth ten pound, nor ſtalke, nor cauſe any other to ſtalke with buſhe or with beeſtes, to any Deres in any Parke, Chaſe, or foreſt, without licence of the owners of the ground, mayſter of the game, or keper of the ſame, vpō pain of ten pound for euery tyme. And that no ẏſon without his own ground take or cauſe to be taken, by any meane, craft or engine any Herons, without it be with hauke or long bow, vpon pain of euery Heron ſo ſlain ſixe ſhillinges and eight pens. And that no perſon out of his own ground take any yong Herons out of the neſte without licence of the owner of the grounde, vpō pain to forfait for euery Heron tē ſhillīgs. And that euery man that will ſue, ſhall be admitted to ſue for any of the forfaites, by accion of det, and no wager of law, Protection, nor Eſſoyne to be admitted. And two Juſticers of the peace of ẏ ſeſſiōs ſhall haue auctority to cal before thē any ẏſon ſuſpect of ẏ premiſſes, & to

examine him, & if by their examinacio the party be founde in defaut, the he ſo founde in defaut to be committed vnto priſon til he haue found ſuerty for payment of theſame forfait to ỳ king and thoſe iuſticers that ſo examine them, ſhal haue ỳ tẽth part of ỳ forfait. An. 19. H. 7. ca. 11.

It is ordained that ſherifes, mayours, Bailifes, high Conſtables and pety Conſtables, & Gouernours, and other officers of cityes Boroughs, villages, & other places, ſhal make due ſerch, and cauſe to be taken al vagabunders, ydle people, & ſuſpect perſõs liuing ſuſpecioufly, & ſet thẽ in the ſtockes by one daye, and one night to be ſet at large & to auoid vnto ỳ place and hundreth where thei wer borne, or els vnto the place where they laſt dwelled, by the ſpace of thre yeres, & there to remain, & if again thei be taken in ſuch defaut in theſame towne, then they to be ſet in the ſtockes thre daies and thre nightes with like diet, and yf any perſon fauour the miſdoers, or geue thẽ meat or drink, or harborowe them one nyght, then they to forfait for euery time twelue pens. Al beggers not able to worke, to reſort to the place where they wer borne, or where they dwelled by thre yeres laſt, and there to remayne without begging out of the citie, towne, or hundreth vpon pain to be puniſhed as is afforeſayde, & that no man harborow ſuch beggers ouer one nyght, vpon the ſame pain. And that no clarke of the vniuerſity be excuſed, without he ſhew a letter of the chaunceler of the vniuerſity from whẽce he cõmeth, nor no ſouldier, ſhipmã nor trauei-

ling

ling man without he bringe a letter from hys captain, or from the towne where he landed, & then to be commaunded to go the streight way to his countrey, or els to be punished as a vagabond, & he that doth harborow him, to forfait xii. pens. And if the sherife, or other officer, execute not ỹ premisses of euery vagabōd, Hermite, beggar, clarke, pilgrime, or shipmā, as oft as he commeth in his sight, or haue knowlage within the toune and place as oft as any of the said misdoers abide there aboue a day & a night and vnexamined, & vnpunished for euery misdoer to departed, to lose thre shillings & .iiii.d. and the lord in his lete, and sherife in hys turne to enquire of all defautes, and misdemesnours in their lete and turns. And the lord in the lete to haue in his lete the forfayt aboue layde for euery defaut, & the sherife likewise in his turn to enquire of such escapes, and to haue for euery defaut .iii.s. iiii.d. And this penalty & forfait to be forfayted by any officer or other pson for vnpunishment of vagabunds, & misruled persons. And where a Mayour is, he to haue the penalties, & that euery man that haue the penalty may distrain therfore. The chanceller of England the .ii. chief Judges, and Justicers of assile within their circuite, & euery of thē within the shires where they shall fortune to be, haue full auctority to cal before them, & euery of thē, ỹ sherifes, maiors, cōstables, & all other officers within ỹ same shires, which haue power to execute this statute, to examine thē of ỹ execucio of this statute, & if they find any defaut in due

execu-

execucion therof, the said officers shal suffer, & haue like pain and punishment, as if thei were conuicted by order of the law. And that no prētice, nor seruant at hus bādry, labourer, ne seruant, artificer, play at Tables, Tenis, Tralhe, dice, cardes, Boules, or at any other vnlawful games in no maner of wyse out of the tweluedayes of Christemas, and then they for to play in the dwelling house of their maister, or where the maister of any of the said seruantes is present, vpon pain of imprisonment in the stockes by one day openly, & that the housholder where dising & cardinge, or where any other vnlawful game is vsed, otherwise thē is aforesayd, & lawfully prelented before the iusticers of peace mayor, sherife in his turne, the steward in his Lete, or by examinaciō had before the said Iusticers of the peace, that procesle may be made vpon the same, as vpon inditement of trespas agaynst the peace, & that the fine be not vnder the summe of vi.s. and eight pens. And the iusticers of peace, wherof one to be of the (Quorum) to reiect, and also to put away common ale selinge in townes and in all other places where they thynke it most conuenient, and to take suerty of the keepers of ale houses, and of their good behauing by their discreciō, and the same to be aduised, & agreed in the time of their Sessions. The Iusticers of the peace, or two of them at the least, and euery Mayor, sherife and Bayliffe within their auctority, haue full power and auctority, to make foure times in the yeare euery quarter once, or after by their discre-

discretion throughout the shyre a diligēt serch secretly, and if they find any misruled persons, then the same to haue lyke punishment, sauing women with childe and aged persons, aboue forty peres, or impotent and sicke persons. An. xx. Henrici. vii. Cap. xii.

Also where by the act made the. xiii. yere of kyng Henry the fourth, It is ordained for punishmēt of riots, a good act and statute, which act by this parliament is affirmed good, & further it is ordained that if any riot, or vnlawful assemble be done, then the sherife hauing a precept to returne foure and twenty persons, shal returne such persons as haue. xx. s. of Charter lande, or sixe and twentie shillinges and eyght pens of copy land, or of both, & to returne in issues at the first day. xl. s. if thei appere not. And if defaut be in ỹ sherife in returning of persons not sufficiēt, or returne not in issues as is afore said, then the sherife to forfait for either. xx. li. And if the riot be not foūd by reasō of maintenours or Imbracery, then the same Iusticers, Sheriffes, vnder sherifes, ouer & aboue al such certificat, as they must make, shall in the same certificat certify the manour of the same maintenours, & Imbraceours, yf any be, with theyr misdemeanours that they know, vpon payn of euery of ỹ said iusticers, sherifes vnder sherifes xl. li. yf they haue no reasonable excuse for vncertificat made, and the same certificat shall be as one inditement founde by twelue men, and euerye mayntenour, and Imbraceour to forfayt twenty pounde, and to be commited to

ward,

ward, and there to remaine by discrecion of the Iusticers. An. xix. H. vii. Cap. xiii.

¶ Here foloweth the Statutes made in the tyme of Henry the eyght.

IT is ordayned ye vpō request made vnto a Coroner to come to enquire vpon ye view of any person slayne, drowned, or otherwise by misaduēture dead, ye said Coroner diligētly do his office vpon ye view of the body of euery such person without any thing takīg therfore, vpon pain to forfait, euery Coroner ye will not endeuour him to do his office, or ye taketh any thing for doing of his office vpō euery person dead by misaduēture. xl. s. for euery tyme. And that Iusticers of assise, & Iusticers of ye peace haue auctoryty to enquire therof, and to determine the same aswell by examinacion, as by presentment. An. i. H. viii. Cap. ix.

Item it is ordained that if any Escheator or cōmissioner herafter put into any of the kings courtes, any inquisicion, or offices concernyng landes, tenements, or other hereditamētes, not founden nor presented by the othes of twelue men, & indēted & by thē sealed, thē the same cōmissioner, or Eschetor to forfeit for euery such office, or inquisition so returned, or put into any of the kings courtes, one hūdreth pound to the party greued. And no eschetour, ne no man sit by vertue of any cōmissiō to enquire of lāds tenementes or hereditaments, except he or thei

haue

haue landes or tenementes, or other to his vse to ỳ yerely value of .xl. marke, ouer al charges, vpon pain of twenty pounde, and that the Escheker be discharged vpō their othes, for their own insufficiency without fine or fee, & that euery cōmissioner, & eschetour sit in open place, and suffer euery person to geue their euidence to such inquest, vpō paine of ten pounde. And that no sheriffe returne any person vpon suche inquest, except euery of them, or others to theyr vse haue lādes or tenemētes, of ỳ yerely value of .xl. shyllinges in the shyre, vpō payn of an .c. s. And the Jury shal receiue the counterpayn of the office indented and sealed by the Eschetour or commissioner, and to remain with the foreman of the inquest, vpō pain of euery of the Jury .xx. s. And when the Jury offreth to present their verdit, the same Eschetour or cōmissioner shal receiue the same verdit without delay, vpon pain of an hūdreth pound, and to deliuer the counterpain to the Jurye vpon lyke pain. And there be many other articles in the same statute, not here abriged. Prouided that this act extend not to any iusticer of the peace for any thing dooyng concerning the cōmission of the peace. an. xii. Henri. viii. cap. ii.

It is ordayned that al panels to be returned which be not at ỳ suit of any party, & put in by the sherife, or his ministers before any iusticers of gaile deliuery, or iusticers of ỳ peace (whereof one to be of ỳ Quorū) in their opē sessiōs to enquire, for ỳ king, shalbe reformed by putting to, and taking out of the names of the persons

impanelled

impanelled by the diſcretion of the ſame Iuſtiſ
cers, before whom thei be ſo returned. And the
ſame iuſticers of the peace ſhal commaunde the
ſherife and other his officers in his abſence, to
put other perſons in the ſame panell by their
diſcretion. And theſame panel ſo returned by
the ſame Iuſtices, to be good and lawful. And
if any ſherife do not return theſame panel ſo re-
tourned, then he to forfait for euery ſuch offen
xx. li. ſterling, half to him that wyll ſue by ac-
cion of dett, bil or cõplaint, & no protectiõ, eſ-
ſoyn, nor wager of law to be alowed, and the
kynges pardon to be no barre in the accõn.
3. H. 8. cap. 12.

Itẽ it is ordayned that no pſon vſig the craft
of a Pewterer, or Braſier, ſhal ſell or chaunge
pewter or braſſe, new or old, at any place but
only in opẽ faires or markets, or in their own
dwellinge houſe, but if thei be deſyred by the
byers of ſuch wares, vpõ pain of forfaiting. x.
li. for euery default. And ꝑ no pſõ caſt or work
any pewter veſſel, or braſſe at any place, but
that it be as good and fine metal as the pewt
and braſſe, caſt & wrought in Londõ, & by the
ſtatutes of the ſame ought to be, vpon pain to
forfait all ſuche pewter, and braſſe, ſo caſt and
wrought, half therof to the vſe of the finders.
Whis act ne forfait ſhal not extend to no braſſe
ne pewt being in the poſſeſſiõ of any pſõ, other
then the workers of them, or ſuche as haue the
ſame to ſel, being of that craft or miſtery. Alſo
that no perſon make no hole wares of pewter,
as ſaltes, pots, called lay metall, but that it

be

be aft the assise of pewt & lay metal wrought ī Londō, & to marke thesame with their seueral markes of their own, vnto the intēt that theyr markes shal know thesame wares. And suche wares not sufficiētly made & wrought, and not marked, foūd in ẏ possessiō of the maker or seller, be forfait, & if the ware be sold: the maker to forfait the value, half to the vse of the finders, & serchers therof. And if any ꝑsō, vsing bying & sellig of pewt, or brasse, vse ani false or deceiuable beames, or weightes: then euery such ꝑsō to forfait. xx. s. and the half to him that wil sue therfore by accion of det, and no essoyne, wager of law, nor protecciō to be alowed, and to forfait his beame to him that shall sease it, & their head officers, to put thē in the stockes, tyll the next market day. And then to set thē on the pillory at the market time. And maisters & wardens of the craft in cities and boroughes, and where there be none such, thē the head officers there, to appoint certain persons expert in the craft to make serche within the cities, and boroughes where thei dwel. And the iusticers of the peace at the Sessiōs at Mighelmas, shall assygne certain persons hauing experiēce therin, to make search in euery part of the shyre, as well within ẏ fraunchises, as without, where serchers be not appointed. And half of all vnlawful pewt & brasse that ẏ said serchers shall fid, shalbe to the serchers. And ī defaut of their masters, & wardēs not serchīg in forme before said, it shalbe lawful to any ꝑsō hauīg sufficiēt cūning, & knowledge in the occupacion by the

ouersight

ouerlight of the Mayours, Bayliffes, or their officers to searche al the places. And in London the Mayour, and maisters, and wardens of euery occupacion, and craft, to haue the search there, & in other places ỳ Mayor, Bailiffes, or other head officers, & wardẽs to haue ỳ serch, where wardeins be. And where no wardeins be, then the head officers, or gouernours of the townes to appoint certain persons to make serch. And if defaut be foũden in any such new wares being i possessiõ of ỳ seller, to forfait the same. 4. H. 8. ca. 7. ¶ It is ordayned that the statutes of wincheſter for archery be put in due execuciõ. And euery mã being the Riges subiect not lame, nor hauing any lawfull impediment, being within the age of .xl. yeres (except spirituall men, iustices, and Barõs of the eschekar) shal vse shoting in long bowes, & also to haue a bow & arowes ready cõtinually in his house. And also the fathers & rulers of suche as be of tẽder age, to teach & bring thẽ vp in knowlage of shoting, & euery mã hauing a house, shal prouide for euery manchild of eyght yere, & aboue to the age of sixtene yeres, & aboue .ii. shaftes, and shall deliuer the same to the ponge men to occupy. And if the same yong men be seruãts thẽ their maisters shal abate their money that thei pay for the bowes and shaftes of their wages. And after if they come to seuẽtene yeares then the same yong men shal prouide for euery of thẽ one bow & foure arowes at their owne costes. And the iusticers of assise, and gaile deliuery, iusticers of ỳ peace, & stewardes i their Leates,

Leetes, and Fraunchise shall enquire in theyr sessiõs and lawdayes of the premisses, & heare and determine the same. And also by their discrecion examine all persons lacking bow and arrowes in forme beforesayd. And he that is found defective by such examinaciõ or enquire lacking, and not hauing bowes and arrowes redy by the space of of one moneth, shal forfait vii. pens for euery suche default. The forfaite in the fraischises to be to the lorde therof, & in other places to the kyng. And that all statutes made against them that vse vnlawfull games be duely put in execution & punishmẽt, aswell against the occuppyers of the same, as agaynst then that be keepers of houses or places where any suche vnlawful games ben vsed, and that the Justicers of the peace, mayours, bayliffes Shirisfes, Cõstables & al other head officers and euery of thẽ findyng or knowing any perso vsing any vnlawful games, haue auctorite to cõmit euery suche offendour to ward, there to remayne without bayle or mainprise, til he be boũd by obligatiõ to the kinges vse in such Sũme as by discreciõ of the Justices or other officers shalbe thought resonable, that he from thensforth shal not vse any vnlawfull games And that euery bowier make for euery bowe of ewe that he maketh to sell at the lest two bowes of elme, or other wood, & if they or any of thẽ refuse so to do, then if it be founden before the Justicers of the peace, mayours or bailifes, by presentment, or examinacion, the same Justicers, mayours or Bayliffes, haue power

to cōmit thē to warde by eyght dayes without bayle or mainprise by their discreciō, or more. And that buttes be made as hath been accustomed and the inhabitantes to make them & continue them, and to exercise thēselues with longe bowes at the same, & that two iusticers of ye peace haue auctorite to appoint bowyers in two or three moe places in the Shyre, Citie or Boroughe, and there to inhabyte, and to make long bowes of elme, and other wode and to cōpel as many bowyers as they shal thinke necessary to inhabite in such places, and so as oft as the case shal require. And all bowstaues to be solde open and not in bundels nor close that shalbe brought out of other Realmes into this realme. No straunger not being denisin shall not conuey out of the kynges obeysaūce any longe bowes, arrowes or shaftes, wythout the kynges licence, vpō payne of imprisōment without bayle, or mainprise, & forfayte of the same where euer they be takē without the kinges power & to remayne in warde till they haue made a resonable fine before the iusticers of peace in ye sessiōs in the coūty where he is committed to warde, and no straunger not beyng denysin, shall vse to shote in longe bowes, without the kinges licēce, vpon payne of forfaytyng of the bowes, & arrowes, and euery man to sease the same bowes & arrowes to their owne vse. An. vi. H. viii. cap. ii.

It is ordeyned that no bayliffe of husbādry shall take for his wages by yere aboue fyre and twenty shillinges and eyght pens, & v. o.

for his clothig, no chief hinde nor chief shepeherde aboue. xx. shillinges, and for clothinge fyue shyllinges, no cõmen seruaunt aboue syxtene shyllinges and eyght pens, & for clothing iiii. shillinges, no woman seruaunte aboue ten shillinges and for clothing foure shillinges, no chylde within the age of fourtene yere aboue syxe shyllinges and eyght pens by the yere, & his clothing. iiii. shillinges with meat & drinke. And all these seruauntes and euery free mason maister Carpenter, roughe Masõ. Brikelayer maister, Tayler, Diuner, Glasser, Caruer & Joyner, from Easter to Mighelmas, shal take syxe pens by the daye without meate & drynke and foure pens with meat & drynke, and from mighelmas to Easter. vi. pens without meate and drinke, & with meate and drinke. iii. pens. And a mayster shyppe Carpenter takynge the charge of the worke, haynge men vnder hym frõ Candelmas to Mighelmas. v. d. by the day with meat & drinke, & without meat & drinke vii. d. & a ship Carpenter called a hewer. iiii. d. by the day with meate and drinke & wythoute meate and drinke. vi. pens, an able clicher. iii. pens with meat and drinke, & without meate and drinke. v. pens, an hewer by the daye. ii. pens with meat and drinke, & without meate & drinke. iiii. d. a maister Calker, by the daye foure pens with meat and drinke, and wythout meate and drinke syxe pens, an other meane Calker by the day three pẽs, with meat and drinke, and without meat and drynke. v. pens. A Calker laborynge by the tyde, as longe

as he maye labour aboue the water & beneth the water, for euery tyde ſhall not excede. iiii. pens with meat and drinke, and frō the feaſt of ſainte Michell to candelmas, the mayſter Shipwright foure pens with meat & drynke, and without meat and drinke ſyxe pens, and the hewer three pens with meate and drinke, & without meat and drinke fiue pens, and able Clinker by the day two pens halfe penye, and without meat and drinke. iiii. d. halfepeny, an holder three halfpens, and without meat and drinke. iiii. d. one Mayſter Caiker. iiii. d. and without meat and drinke. v. d. & other meane Caikers. iii. d. halfepeny, and without meane drinke. iiii. d. halfpeny. And where it hath ben vſed to gyue leſſe wages, they ſhall gyue leſſe, & the taker of the wages there to be compelled to take as they haue ben vſed. And the mayſter Maſon, and maiſter Carpenter ſhall haue. xii. d. without meate and drinke, & x. d. wyth meate and drinke, and euery Artificer not retayned in wozke, be compelled to ſerue for ſuche wages, and that no Artificer nor other perſon retayned in ſeruice to wozke departe not tyl ſuche tyme as the wozke be fynyſhed, yf the perſō that ſo retayned him wyll longe haue him, and pay hym his wages, vpō payne of impriſonment of euery perſon departyng by the ſpace of one moneth. And yf lynges for a fine, except he enter & be deſyred to be in the kinges ſeruice, and there be wozke. Euery other labozer, and Artificer ſhall take from Eaſter vnto Myghelmas euery

day

day that he laboꝛeth, except harueſt.iiii.pens without meate and dꝛinke, and.ii.pens with meate & dꝛinke, and from Mighelmas to Eaſter three pens, without meat & dꝛinke, & thꝛe halfepens with meat and dꝛinke, and in haruneſt euerye mower foure pens wyth meat and dꝛinke, and without meate and dꝛinke. vi.d. a Reper and caſter euerye of them. iii.d. a daye with meate and dꝛinke, & without meate and dꝛinke.v.d. A wowan labourer, & euerye other labourer.ii.d. halpeny with meate and dꝛinke & without meat & dꝛinke.iiii.d. & no Artificer oꝛ laboꝛer to take foꝛ halfe dayes, but foꝛ haif dayes, and nothing foꝛ the holy dayes. And yf any of the perſons aboue named not retayned in woꝛke, refuſe to ſerue oꝛ woꝛke, then to be cõmitted to warde by the cõſtable oꝛ head officer within the citie oꝛ Towne, where the partye ſo refuſing is, at the complaint of him that wyll receyue ſuch ſeruaunt, there to remayne tyl that he haue founde ſuertye to ſerue according to the ſtatute, and if any Artificer oꝛ labourer not retayned refuſe to ſerue after the rate oꝛ take great wages, oꝛ take wages foꝛ whole dayes, where he woꝛketh the halfe day, then euery of thẽ to foꝛfayte foꝛ euery defaute xx.s. And they to be conuicted foꝛ euerye ſuche defaute by preſentement befoꝛe the Juſtycers of peace in their ſeſſions, accoꝛding to the comõ law, oꝛ examinacion of the ſayde Juſticers in the ſame, oꝛ by examinacion of two Juſticers of peace out of the Seſſions, in the ſhyre where they be Juſticers. And the foꝛfayte of.xx.s. to

be leuied of their landes, goodes, & cattels, to offendinge. And euery Artificer, & labourer betwene the middes of Marche & the middes of September to be at hys worke before syxe of the clocke in the morninge, & to haue but one halfe houre for his breakefast, and an halfe for his diner, at such seaſon as he hath to slepe, and when he shall not sleepe, to haue but one houre for his diner, and halfe an houre for his none meat, & that he depart not frō his worke tyll betwene syxe & eyght of the clocke at euen and their defautes to be marked, & at the weekes ende to bee abated of theyr wages after the rate. And from the middes of September to the middes of Marche to be at their worke by the spринge of the daye and not departe tyll nyght, and that they slepe not by daye, but only frō the middes of May vnto the middes of Auguſt. And yf anye artificer, or labourer assaut or assemble to hurt any person assignedto ouersee thē, or to controll thē, he to haue ỹ imprisonmēt by a yere without bayle or mainprise & to make fine at the kinges wyl, and thesame assaute to be tried by examinacion before the Iustices of the peace. An. vi. H. viii. cap. iii.

Also it is ordeyned for al persons passynge the Riuer of Thames or Medwaye by barge or wherbote, ỹ ikanye ỹson require ỹ owners or occupiers of the barge or wherybote, at any of the ferriers to passe with thē, offering them money after the rate as is lymitted in the statute, or requireth watermē to go with them in their barges, after sy- pens the daye, except it

be

be to Wortelake, or to Grenewitch, and thē to haue eyght pens a daye, & the same owners or occupiers, watermen, or bargemen, do refuse to passe for the wages lymitted by this statute then he or they that so refuseth it, for to forfayte the treble value of the same rate, or wages, halfe to the kynge, and the other halfe to him that wyll sue by action of det, informacion or Presentmēt, & no wager of lawe, Essoyne nor protection to be alowed. And the bayliffes Constables and other the kinges officers, and euery of them next adioyninge where the sayde ferryers be exercised, vpon complaynt to thē made, by any person finding thē greeued, shall arrest the offendours, and commytte them to warde for their misdemeanour, and to make fine for the same. And the Justices of the peace in euery shyre (where the said ferriers be exercised) the Mayours, and sherifes in London & stewardes in leates, haue auctoritie to enquere at sessions, and letes of the defautes of the owners of suche barges, or botes, whyries watermen and bargemen, as of the defautes of the sayd officers, for lacke of punishement of suche offendours. An. vi. H. viii. cap. vii.

Also in the seuenth yere of kyng. H. the. viii. in the. v. Chap. is rehersed the act made for labourers, and artificers, in the fyre yeres of the same kinge, word for worde. And there also is established and enacted likewise as is before.

It is ordeyned that no parson trase, destroy nor kyll no hare in the snowe with dog, bitche or otherwise. And the Justicers of the peace in

euery Sessions, and stewardes in their Letes haue authorite to enquire of the offenders. And for euery hare so kylled shall esseſſe vpon euery suche offendour fyre shillinges & viii.d. to be forfayte to the kyng that shalbe so found by the Justycers of the peace in their Sessions and the forfayt founde in the Lete to be to the Lete. Anno. xv. Hen. viii. Cap. x.

It is ordeyned that if anye persons rob, or take away any goods, or catels frō anye mans person or otherwyse, & theſame felon be therof attaynted by reason of euidence giuen by the party, or owner of the sayde goodes, & cattels or by other by their procurement, then aswell the Justicers of Gayle deliue, as other Justicers before whom anye felon is founde gylty or attaynted by reason of the euidence, haue power to awarde writtes of reskyttucyon for the sayde goodes and cattels, as yf they were attaynted at their sute in appeall. Anno. xxi. H. viii. cap. xi.

It is ordeyned that foure Justicers of the peace in euery Shire, Citye, and Bourough, wherof one to be of the Quorum, shall haue power to enquire, heare, and determine, in the generall Sessyons of all maner of anusaunce of brydges broken in the hygh wayes, and to make processe, & peynes vpon euerye presentment against such as ough to make or amende them, as it shall seme by their discrecion to be necessarye. And if it cannot be knowen who should make thē, thē in such case if they be out of Citye, or towne corporate, they shalbe made by

by the inhabitauntes of the ſhyre, or Ridding, with in which the ſayde brydge ſhalbe. And yf it be within Citie or towne corporate, then by the ingabitātes of the citie or Towne. And yf one part be in one ſhyre, or Cytie, or Towne corporate or Ridding. And the other partie in an other ſhire, Ridding, Citie, or Towne corporate thē the inhabitantes of the ſhyre, Ridding, Citie, or towne corporate, ſhal make and amende ſuch parte therof as ſhal lye within the the limittes of the ſhyre, Riddinge, Cytye, or towne. And if it can not be knowen what perſons, bodyes polytike, or landes, ſhould be charged to make the ſaid bridges, then the.iiii. Juſtycers of peace in ẏ ſame ſhyre, city, towne or borough (whereof one to be of the Quorum) ſhall haue power within the lymyttes of their Cōmyſſyon to cal before them the Conſtables of euery Towne, and paryſhe, aſwell within lybertes, as without, or els two of the moſte honeſt inhabitantes within euery ſuche towne or paryſhe, in the ſhyre, Ryddinge, Cytye, or towne corporate by diſcretion of the ſayd Juſticers, and vpon the apperaunce of the ſayde Conſtables, the Juſticers of peace, or foure of thē at the leaſt (wher of one to be of the Quorū) with the aſſent of the ſayd Conſtables ſhall haue power to taxe, & ſet euerye inhabitaunte in any Citie, Towne, or pariſhe, within the lymittes of their commiſſion, to ſuch reaſonable ſum of money as by their diſcretion they ſhall thinke conuenient for the reedifieng & amenment of ſuch bridges. And after ſuch taxacion made

made the ſayd Iuſticers ſhall cauſe the names of euery ſuche particuler perſon ſo taxed to be written in a roll endented, & ſhall haue power to make .ii. collectours of euerye hundreth, for the collection of the money ſo taxed, which collectours reſeruinge the one part of the roll ſo indented, vnder the ſeale of the ſayd Iuſticers ſhal haue power to diſtrayne euery ſuch inhabitaunt ꝑ refuſeth to pay, & to ſell the diſtreſſe and retayne the money taxed, and the ſurpluſage therof to delyuer to the owners. And the Iuſticers of peace, or foure of thē (whereof one to be of the Quorum) haue power to appoynte, two Surueyours, which ſhal ſe euery ſuch bridge repayred and amended, from time to tyme as nede ſhall require, to whoſe handes the collectours ſhall pay the money taxed, and by them receyued. And the Collectours, and Surueyours and euery of them, and the Executours, and adminiſters of euery of them, ſhal from time to time make a true accompte to the Iuſticers of the peace or .iiii. of them (whereof one to be of the Quorū) of the receyte and expence of the ſayde money, and if they refuſe ſo to do, then the Iuſticers of the peace or foure of them (whereof one to be of the Quorum) ſhall make by their diſcrecion againſt the ſayde Collectours, & ſurueyours, and euery of them, and the executours, & adminiſters of euery of thē, Attachemēt vnder their ſeales retournable at their generall ſeſſions, & if they appere then to cōpell thē to accompt, & yf any of them refuſe, then to commit ſuch of them to warde

there

there to remayne tyll accompt be truely made. And where such bridges decaye, and lie in one shire or Ridding, and the persons or lādes that be charged with the makinge thereof, lye or be in another shyre or Riddinge, then the Justycers of the peace of the shyre or towne, where suche bridges be shall haue full power to enquire heare and determine, of such annusaunce and to make prōces into euery shyre agaynste suche as ought to make, or amende any suche bridges, so presented to be decayed, and to do further in euerye behalfe, as they might doe yf the same persons or landes so charged, were within the same shire. And ꝑ all shirriffes and Bayliffes of libertyes shall serue & execute all processes to thē directed that commeth to their handes vpō payne to make suche fine as shalbe set vpō thē by the discretiō of the said iusticers & the same Justicers, or foure of thē, haue power to alowe reasonable costes and charges to the Surueyours, and Collectours by theyr discretiō. And it is ordeyned that suche parte of the hygh wayes next adioyninge to any ende of any suche brydges distaunt from any of the sayd endes, by the space of thre hundreth fote, shalbe amended and repayred, as oft as nede shall require. And the iusticers of the peace, or foure of them (whereof one to be of the Quorū) within the lymittes of their Commyssyon shall haue authoritie to enquire, heare, and determine at the generall sessions, al maner of annusaunce of and in suche highe wayes, nexte adioyninge to anye endes of bridges, within

thys

thys realm diſtāte frō the ende of ſuch bydge
three hūdreth foote, and to do all thinge cōcer-
ninge the amendement of ſuche hyghe wayes
in as large maner as they may doe to and by
the amending or making of the ſame Bridges.
An. xx. H. viii. cap. v.

It is ordeyned that all and euery perſon, &
perſons hereafter lawfully Indited, appealed
and attaynted by the order of the lawe, for any
wylfull murther of any perſon by way of poy-
ſoning, ſhalbe adiudged highe treaſon, and ſhal
not be admitted to his clergy, but ſhall imme-
diatly haue execution of deth by boilinge. And
the iuſticers of the peace in their ſeſſions ſhall
haue power aſwel of ſuch traytours, Murde-
dours as of the coūterfayting of coyne of any
outwarde realme, ſuffred to run, and go with-
in this realme by the kinges aſſent, & to make
proces therupon by capias onely. And the iu-
ſtycers of aſſiſe ſhall haue full power to heare
& determine in the r ſeſſiōs aſwel the treaſons
done by poyſoning, as by coūterfayting of ſuch
coyne. And the forfayte of landes to be to the
lordes of fees thereof. And. xxii. H. viii. cap. x.

It is ordeyned agaynſte people callinge thē
ſelues Egiptiās, & no ſuch perſons be ſuffered
to come within this realme, and if they do, they
ſhal forfayte al their goods & cattels, and to be
commaunded to auoyde within fiftene dayes,
vpon peine of impriſonmēt. And it ſhalbe law-
full to euerye Iuſticer of the peace & Eſcheā-
tour to ſeaſe ſuche goodes, as any of them ſhal
haue, and to make accompte thereof in the Ex-

cheker

cheker. And yf any suche straunger be endited of any felony or murdour, and pleade not gylty, the the enquest shalbe al of Englisshe men. And if the iusticers of peace, Shyrisse or Escheatour, sease any goods of anye Egipcians, then to haue and retayne the moyty therof to his owne vse, and to accompt in the escheker for the other moyty, and to paye no maner of fees there, for his accompte, or his discharge there, or els where. An. xxii. H. viii. Cap. x.

Where diuers euyll disposed persons hath broken vp diuers partes of a dike called newe Powedike in marsheland in the Countye of Northfolke, & the broke dike called olde feeld dike in Marsheland, in the yle of Ely, in the Countye of Cambrydge, by reason wherof the pastures in Marsheland hath bene drowned. Therfore it is ordeined that euery suche malicious cutting downe, and breaking vp of any part, or parties of the sayde dikes, or of anye other bake parcell of the rinde, and vttermost of the sayd countrey of Marsheland, made for the defence and saluacion of the countrey, be taken & adiudged felony. And the iusticers of peace in the counties of Northfolke, & Cambridge in theyr sessions haue power to enquire of the offenders and to awarde lyke proces & execution vpon the same, as they haue vsed to doe vpon felony. an. xxii. H. Cap. xi.

It is ordeyned that the Iusticers of peace of euery shyre, Mayers, Shirifes, Baylifes and other officers of cities, boroughes, & townes shal from tyme to tyme, by their discretion de-

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uide thē ſelues within their limittes and make diligent enquiry of all aged & impotēt perſons which of neceſſitie be compelled to liue by almes. And therupō within the limittes of their diuiſion ſhall haue power to enable to begge, within ſuch limittes as they ſhal appoint ſuch impotent ꝑſons, whiche they thinke conuenient within the limittes of their diuiſion to liue of almes, and to giue in commaundemēt vnto ſuch aged and impotent perſons, that none of thē ſhal begge without the limittes, ſo to them appointed, & ſhall write, & regeſter the names of all ſuch perſons by them appointed in a rol indented, the one partie to remayne to thē ſelues & the other parte to be certified vnto the Iuſtices of peace, at ꝯ next ſeſſions after ſuch ſerche had, there to remayne in the kepinge of (Cuſtos rotulorū.) And the iuſticers of peace Mayers & other officers beforeſayd, ſhal haue power to make all ſeales, with the names of ꝯ hūdreth, wapentake, Cities and places within which they ſhall appointe euery ſuch perſon to begge, & cōmit the cuſtody of ſuch ſeales to ſuch perſons as they ſhall thinke conuenient and ſhall deliuer a letter to euery ſuche perſon enabled to begge, cōteyning his name, & witneſſing that he is enabled to beg within ſuche limittes appointed, the ſame letter to be ſealed with the ſame ſeale, with the name of one of the iuſticers, or officers aboueſaid. And if ſuch impotēt, or aged perſon beg in any other place thē the Iuſticers of peace, mayours, bayliffes, and all other officers ſhall by theyr diſcreeyon

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pmyshe all such persõs by imprisonmẽt in the stockes by two dayes & two nightes, gyuinge thẽ but only bread and water, and after that cause thẽ to be swoorne to turne agayne to the place where they be auctorised to beg in. And if any impotẽt persõ go about a begginge, haning no suche letter vnder seale, then the constables, and al other inhabitauntes, within the towne or paryshe, where such persõs shal beg shall cause them to be taken and brought vnto the next Justicer of peace, or hyghe Constable of the hundreth. And therupon the sayde Justicers of peace, or hyghe Constables shal cõmaunde the sayde Constables and inhabitantes of the sayde Towne, or Parish which shal bryng the sayde begger, that they shall strip hym naked from the middel vpwarde, & cause hym to be whipped within the towne where he was taken, or in some other place where the sayde Justicers, or high Constables shall appoint, or els to be set in the stockes, in ỹ town or paryshe where he was taken by three daies, and three nightes, there to haue only bread & water, and therupon to limit hym a place to begge in, and gyue hym a letter vnder seale, & sweare him to departe thyther immediatly after his punishment executed.

And yf any person able to labour, be vagarant, & can giue no reckeninge howe he getteh his liuing, thẽ it shalbe lawful to euery officer minister, and subiect of euery Towne, paryshe and hamlet, to arest all such idle persons, and to bringe thẽ to the Justicers of peace, to the

hyghe Constables of the hundreth, or to the mayers, or bayliffes of the townes corporate, if they be taken there. And then the Justicers of peace, or highe Constables, mayres, or baylifes by theyr discretiō, shall cause suche ydle persons to be had to suche place, as they or be to whome the ꝑson is so brought shall thinke cōueniēt, there to be tied at the ende of a Cart naked, & to be beaten with whippes through the market, or towne, tyl ẏ his bodi de bloudy. And after suche punishment the person shalbe enioyned by the sayde Justicers, Maers, or Baylyfes, before whome such persons shalbe brought vpō his othe to returne streyght way to the place where he was borne, or where he dwelt before by the space of thre yeres, & shall haue a lett sealed ẇ the seale of the hundreth Cytie or Towne, witnessing ẏ he hath ben punished, & conteyninge the daye and place of his punishment, and the place whereunto he is limitted to go, and by what time he is limitted to go thyther, within whiche time he may beg by the way shewing his letter. And yf he do not accomplishe the order to him appointed to be eftesones taken & whipped. And so as oft as any defaute shalbe founde in hym contrary to ẏ order in euery place, to be takē and whipped, and yf any person so whipped, be an ydle person, and no cōmon begger, then after suche whippinge, he shalbe set in the stockes tyll he haue foūde suerty to go to seruice, or to labor after the discretiō of the iusticers of the peace mayers bailifes or other officers before whōe

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he shalbe brought, if the sayde Justicers of the peace, mayers or other officers so thinke conuenēt, & the party able to finde such suerty or ells to be sworn to repaire to the place where he was borne, or where he dwelled last, by ỹ space of thre yeres. And to haue like letters, order, & punishment from tyme to time, till that he put his body to labour, or likewise geat his liuig. And the iustiters of the peace within ỹ limits of their cōmission: haue auctority to enquyre of al maiers, bailifes, constables, & other officers, & persons that shalbe negligent in executing of this act, & if the cōstable, & inhabitantes within any town or parishe be negligēt, & take not euery such impotēt begger, & punish him as is aboue limitted, then the township, and parishe, shal forfait for euery such begger that is so suffred to beg cōtrary to this estatute, & not takē nor punished according to this statute. iii.s. & iiii.d. And for euerye strong begger not beynge taken and ordained, as is aboue limitted. vi.s. viii.d. The one half to ỹ king, & the other half to him that will sue by byll or informacion before ỹ iusticers of peace in their general sessiōs or withi any liberty where default shal happē. And the iusticers of peace shall haue auctority to heare and determine euery suche default, by presentment or byll of informaciō and to make proces against the inhabitantes of euery town or parish, by distresse where any defaut shal be presēted, or supposed by any informacion, and there by ỹ sherife, or other officer shall distrain the goodes of one or two of such inhabitantes

as he may haue knowledge wer most negligēt and in default of executiō of this act, and retain the distresse til thei haue foūd suerty to appere at the Sessions limitted by the distres. And if it be tried againste them by verdit or witnesse, then the iusticers of peace shall assesse the fines aft̄ the rate aboue limitted, & make proces for leuying of ye same by distres of the inhabitātes the moitie of the fine that groweth by informacion to him that sueth the informacion, and if it be by presentmēt, then the fine to be to ye king. And if the party distrayned appeare not at the day and place appointed, then he to lose .xl. d. and at the secōd day double, & so to be doubled vpon euery distres, vntil appearaunce may be had by one of the inhabitauntes of such towne or parish, to trauerse or cōfesse the presentmēt, or informacion. Also scolers of the vniuersities going a begging, not hauing the seale of the vniuersity, & shipmē goyng about without sufficient auctority witnessing the same, shalbe punished as strong beggers. And all proctours, & pardoners, going about without sufficiēt auctoritie, and all ydle persons vsyng vnlawfull games, and some of thē fayning to haue knowledge in Phisike, Phisnomy or Palmestry, or other crafty science, shal vpon examinacion before two Iusticers of the peace (wherof one to be of the Quorū) if he be foūd gilty by ꝓuable witnes of such decites shalbe punished by whipping by. ii. dayes together. And if he offend eftsones in like offence, thē to be scourged two daies, and the thirde daye to be put on the

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pillory frō.ix.til.xi.of the clock before noone, & to haue one of his eares cut of, & if he offende ẏ third time, to haue like punishmēt, & the other eare cut of. And ẏ iusticers of ẏ peace in euery liberty & fraunchise where they be iusticers, haue like auctority for the execucion of this act as they shal haue without the said libertie.

And that this act shall yerely be read in open Sessiōs. And if any ꝑson geue any harborow, mouey or lodging, to any begger strong & able to worke, whiche order them selues contrarye to these statutes, then euery such ꝑson so doing being sufficiently ꝓued, or presēted before one Iusticer of the peace, shal make fine as by discreciō of thesame iusticers of the peace at their general sessions, shalbe assessed. And if any ꝑson disturbe or let the execuciō of this act, or make rescous against any mayers, sherifes, or other ꝑsōs, that endeuoureth thēself for ẏ due execucion of this act, then euery such ꝑson shal forfait an. C.s. & haue imprisōmēt at the kinges wil. The one half of ẏ forfaiture to ẏ mayers, or bayliffes, within any citie or town corporate, and out of citie or town corporate, then the halfe of the forfaite vnto the Lorde of the Lete, where such offence is done and the other halfe to ẏ king, the recouery of thesame forfait by accion of det, byll, informacion or plaint in any of the kinges courtes where no Essoyne, Proteccion, nor wager of law shalbe alowed, mayers, & bailiffes in the fiue portes haue like auctority to put this act in execucion there, as iusticers of peace haue, & the īhabitātes ī euery

town there shalbe boūdē vnto the due execuci-
on of this said act, if ꝑsons impotent in the fiue
portes beg out, to be punished accordig to this
act, the fourme of the letters to beg by, is this.

Memorādum that. A. B. of Dale, for reaso-
nable consideracions, is licenced to beg in the
hūdreth of P. K. L. in the said coūty, geuē vn-
der ẏ seale of the limit (tali die et Anno. This
letter to be deliuered to thē that be whipped is
thus. K. is whipped for a strong begger at. S.
n ẏ said coūty according to the law the. xii. day
of July, in the thirtene yere of king Hēry ẏ. 8.
was assigned to passe forth directly fron thence
to S. in the coūty of Middlesex, where he saith
that he was borne, or where he last dwelled by
ẏ space of thre yeres. And is limitted to be there
withi the space of. 14. daies next ensuing, or S.
in such nūber of daies as to hym is limitted by
discreciō of the maker of the letter. In witnes
wherof, the seale of the limit of the said place of
his punishmēt herūto is set. And the lett to be
made at the costes of such iusticers, mayers, or
other officers, within whose iurisdiccion the
said begger shalbe whipped, & subscribed with
the hād of the said Iusticers or other officers,
in this forme. Per me. A. B. vnū iusticiariorū
pacis, or maiorē, or Balliuū, ville, or Consta-
bulariorū talis hūdredi, or in like forme i Eng-
lish. Thei that haue custody of gailes, shal haue
like seales made with the name of the prisō, or
castel which he kepeth. And if ani ꝑsō be acqui-
ted, & hath no frēdes to pay his fee, he shal haue
liberty to beg by licēce of his keper, by ẏ space
of

of.6.wekes next folowing after his deliuerãce & after that to be cõpelled to go to the hũdreth where he was borne, or where he laste dwelled by the space of thre yeres, within ỹ time to him appointed by one of ỹ iusticers, mayers, or other officers where such deliuerãce shalbe had. And euery persõ so deliuered, shal haue a letter made to him by the clark of ỹ peace, if he be deliuered in the shire. And if he be deliuered in a towne corporate, then to haue a letter of ỹ cõmon clarke of the city, or town corporate wytnessing ỹ day, & place of his deliuerãce, & afore whõ, & ỹ tyme appointed to him to beg for his fees, & ỹ place to him assigned to repaire, in case he can get no master, & to euery such lett ỹ gaiior of ỹ prisõ shal put to his seale limited therfore. The forme of the letter is this. E. the .xv. day of July. In. regni regis. H. 8. ca. 12. I. S. was deliuered for felony out of ỹ gayle of. D. in the said coũty, at the sessiõs holden afore. A. B. and his felowes at. S. the day and peare aboue said, and is alowed to beg for his fees by the space of vi. wekes. And in case he can geat no maister within the said time to worke with, then he is assigned to passe directly to D. in the coũty of Kent, where he saith he was borne, or last dwelled, by the space of thre yeres, & he is alowed. 14. dayes next after the said. vi. wekes for his passage thither, or such nũber of dayes, as to him is limitted by discrecion of the maker of the said letter. In witnes whereof, the seale of the prison frõ which he was delyuered, here vnto is sette. And in suche shires where there

is no gaile, ẏ sherife therof for the time being, shal cause a seale to be grauē with the name of the shire, and shal vse the same seale for such ꝑsons deliuered, after the same maner as ẏ gaile is limitted to do in this act.

Clarke of the peace, & clarkes of cityes and town corporate, shal make such letters for euery ꝑson so deliuered, without any fee taking of the same, & shal deliuer ẏ letter vnto the gailer, or keper of ẏ prisō. And in case there be no gaile there, then ẏ sherife of the shire where any such deliuerāce shalbe made, shal not suffer any such prisoner to begge for his fee, vnlesse the gaylor or sheriffe first deliuer vnto ẏ saide ꝑson so acquited the said letter, sealed with the seale of ẏ sayde prison, or with the seale engraued with the name of the sheriffe, yf there be no prison in the shyre, vpon payn to lose vnto the kyng. xii. pens for euery default. And if persons delyuered, begge cōtrary to the tenor of the letter, thē to be ordered, and whipped in euery behalfe as strong beggers, by such as are limitted to do ẏ same, and in such wise, and vpon such payn as is limitted for none execuciō of strōg beggers. It is lawfull for euery man for to geue almes at obites and burials, and make doles as hath been accustomed vnto euerye maner of person without penaltie of this statute. And maisters & gouernours of hospitales to geue almes according vnto their foundacion, this acte to endure for euer. An. xxii. H. viii. Cap. xii.

If any person take the churche or any other holy place, for murther or felony, the same ꝑson shall

shal abiure vnto any saintuary within any part of this realme (which he will elect) there to remain as a saintuary man abiured duryng hys life. And if he come out without pardon or lycence, then to sucker in lyke case as he had been abiured this realme, and if any such saintuary yson abiured or any other yō ẏ is, or shal happē to be in saintuary for murther or felony, & so being in saintuary, and after commit or do any murther, pety treasō, or felony, within ẏ same, or be accessary vnto anye suche offence, & after come again to ẏ same saituary, or to any other saintuary: for the same euery such person being endited for any of the causes or offences, shall lose the priuilege of the same saintuary, and euery other saintuary within this realme. And it shalbe lawfull to all and singuler Justyces of peace, & the high sherife of the county where any saintuary is, and to all Mayers of Cities, & townes corporate, where such saintuary is, and to al their seruants, and ministers in their presence to take out of the same saintuarye, all such persons so offending and being endited of the same, and to commit thē to the gayle within the shire or liberty were any such inditemēt is founden, til that thei be cōuicted, attainted, or discharged of ẏ same. And if any yson hereafter attainted, vpon any inditemente, alledge that he was taken out of saintuary: then euery yson for ẏ king shalbe admitted there to aledge ẏ he so arreined did take saintuary for the same offēce ẏ he is arrained vpō abiuracīō made to ẏ same saituary, for felony wherof he is arreined

or that he went out of saintuary, and committed thesame offence & had priuilege, and after did commit the offence wherof he is indyted, & arrayned, & pray that he may be excluded from his saintuary, which ysshue shalbe tryed forthwith before thesame iustices, before whome the same person is arrayned, and by the same Iurours of thesame cõity that shal trye the felony in whatsoeuer county, or counties, place, or places, the same taking of saintuary shal be alledged to be done, and if the same plee be tryed against him by verdit, or by his cõfessiõ, & found guilty of the felony by his confessiõ, or by order of the law, then iudgement and execucion shall be done, as though he were no saintuary man. And if he be acquited of the felony, or offence, then he shall be restored to the same saintuary out of which he was taken. If any person abiding in saintuary, as a saintuary man, be indited of any felony by him or her cõmitted going out of the same, or any other saintuary, whyle that he or she were a saintuary persõ, they shal not be takẽ out of saintuary before he or she be examined before two of the kinges counsell, or by foure iusticers of the peace of ỹ same Shire where the same saintuary is, & if the pson being indited within .4. daies after ỹ examinaciõ, do make proue as ỹ examiners shal think sufficiẽt ỹ thesame person was in saintuary at the tyme of thesame felony cõmitted, thẽ he or she to remain in the same saintuary, without extraccion frõ the same. If any person ỹ was in saintuary for felony obtayn the kinges pardon, or otherwise

wise be purged, & be at large therfore, & afterward do commit any other felony, or pety treason, or murther, by chaunce medley and not of malice p̄pēsed, & therupō take saītuary agayn, ẏ same p̄son shal enioy ẏ priuilege of saintuary again. Also al maner of forein plees pleaded by felons, triable by the coūtrey shalbe forthwith tryed by thesame Justices, before whom suche person is arrayned & by thesame Jurors that shal trye ẏ same felony or pety treason, in what soeuer countye or place the matter of the same plees be supposed. And that no person for any pety treason, murther, or felony, be admitted to any peremptory chalenge, aboue ẏ nūber of. 12. this act to endure for euer. Euery p̄son taking saintuary for offences of higher nature thē peti treasō, murther or feloni, shal haue priuilege of saintuary, in as free maner as thei should haue before ẏ making of this act. An. 12. H. 8. ca. 14.

No person hereafter found gilty after the lawes of this lād, for pety treason wilful murther, of malice prepensed, robbyng of any churches, chapel, or any other holy place, or for robbing of any person in their dwelling houses, ẏ dweller in thesame, his wife, childrē, or seruāts thē being within & put in feare by the same, or for robbing of any p̄son, in, or nere ẏ high way or for wilful brēning of any dwelling house, or barn, wherī any grain of corn shal happē to be, or any p̄son found gilty of any abettemēt procuremēt, helping, mainteining, or cōsenting, of or to any such murders, or felonies, shal not be admitted to his clergy, but suffer death, such as

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be within holy orders of Subdeacon, & aboue onely except. And euery such ꝑson within such orders of Subdeacon, or aboue, admitted vnto his clergy, and deliuered to the ordinary, for ẏ same, shal not make his purgacion, but remain in prison during his life, except only he do finde two sufficient suerties by recognisaunce before two iusticers of peace of the same shire where he was conuicted (wherof one to be of the quorũ) that he shalbe of good aberyng against the king, his lawes & subiects, euery such ꝑsõ to be bonden in. xl. li. & euery suerty in. xx. li. & euery suertye to haue charter landes of inheritaunce ouer all charges of. xxvi. shillinges and eyght pens, or els. xx. pound in goodes, at the time of the recognisance. And ẏ iusticers of peace shal certifi the same recognisance within foure monethes next after, into the kinges bench, vpon pain to forfait an. C. s. for euery defaut. Clarke attaint, or by cõfession shal make no purgaciõ, the ordinary may disgrade any such conuicte of the offences aboue said, and sende him into the kinges bench, with certificat therof vnder hys seale, testifying ẏ sayd disgrademẽt, vpõ which the iusticers of the kings bench, hauing the record shall geue iudgement of death against the prisoner so disgraded, as if he hadde not be any clarke, this act to cõtinue vnto the last day of the next parliament. In. xxiii. H. viii. Cap. i.

Be it also enacted that no bere brewer, nor ale brewer put to sel in any other barels, kilderkins firkins, or other vessels of wood, other thẽ shal be marked by artificers of coups, wherof eueri

barel

barell of beere shall contayne sixe and thirtye galons, euery halfe barel or kilderkin, eyght & twenty galōs, and euery firkin, nyne galons, & euery barell of ale two and thirty galōs, euery kilderkin sixtene galōs, and euery firkin eight galons of iust measure, and not vnder that, and euery bere brewer, & ale brewer, shall not take ouer and aboue for euery such barel, kilderkin, or firkin, but such price as shalbe thought conuenīēt by discreciō of ȳ iusticers of peace within the shire where suche bere, and ale brewers dwelleth without any city, borough or towne corporate. And in euery citie, borough or towne where there be mayers, sheriffes or other head-officers, the rates & prices to be cessed by thē & euery of thē by their discreciō. And that the ale brewers, nor bere brewers, shall not sell theyr ale nor bere at any higher price then shalbe to thē assigned, vpō pain to forfait for euery barel to sale, sixe shillinges and eight pens, for euery half barel, three shillings & iiii. pens, and for euery firkin two shillinges, & for euery vessell cōteining great nūber of galons ten shillings & for euery vessel cōtaining lesse nūber twelue pens, half to the king and the other half to him that wil sue by accion of det, bill, plaint, or information, in which no wager of law, Essoyn, protection, nor priuiledge to be admitted. Anno decimo tertio. H. 8. Cap. 4.

It is enacted that no person shall discharge & lay on lād any wines of Gascoigne or Gyon or frenche wines out of any shyppe, or vessel, at any hauen, or other place in England, Ireland

wales,

wales, or the marches of thesame, bet wene the feast of Saint Michel, and the purificacion vpō pain of forfaiting of the said wynes, half to the king, & the other half to such as shal sue thesame, or sue for thesame by accion of debt or detynue, by original writ, byll, plaint, or informacion, in which no Essoyne, Protection nor wager of law shalbe alowed, & no person shall sell by retayle any of the sayd wynes, above .x. pens the galon, that is a peny the pynt, iii pens the quart. iiii. pens the pottel, and eight pens the galon, vpon payn of forfaytinge for euery pint so solde above the price foure pens, and euery quart eight pens, and euery pottel twelue pens, and euery galon two shillinges. And no malmeseis, Rumneis, Seekes, nor other swete wines shalbe retailed aboue. xii. pens the galon vi. pens the pottel, thre pēs ẏ quart, & thre half pens the pint, vpon pain of forfaiting for euery galon thre shillinges and foure pens, for euery potel. xx. d. euery quart twelue pens, and for euery pint fyue pēs sold to the cōtrary. The lord Chancellier. Treasorer, lord presidēt of the counsel, lord of the Pryuiseale, & the two chief iusticers, fyue, foure or thre of thē to set the prices of al kindes of wines that is to say, of the price of the But, Tun, Hoggeshed, Punchion, Tierce, Baret, or Rūdelet to be solde in grosse, so that opē proclamacion there to be made in ẏ chauncery in the terme time, or elis in the citie, borough, or town where such wines shalbe sold in grosse. And if any plō aft such prices set and put in writing & proclamacio therof had, as is

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aboue said, do sel i grosse any wines, by fraude or couin, contrary to the prises so set and proclaimed, then euery offender shal lose for euery vessell sold in grosse contrary to the said prises, xl.s. half to the king, & the other halfe in cities, boroughes and tounes corporate, to be to the mayers sherifes, bailifes, or other head officers of suche cities, boroughes & tounes corporate. And if it be Wout citie, borough, or town corporate then to be to such subiectes as will sue for ẏ same by writ of det, byl, plaint or informaciō, in which no wager of law, proteccion, nor Essoyne to be alowed, & that the iusticers of peace in euery shyre within the limites of their commission, and mayers, Bailifes, and other head-officers in cities, boroughes, & tounes corporate in their limites, shall haue power to examine, heare enquire, & determine ẏ defaultes of such that shal attēpt to sel any wines in grosse or by retayle contrary to this act, and to punish the offender by imprisonment or otherwise by their discreciō. This actes to endure to ẏ last day of the next parliament. An.23. H.8.cap.7.

It is enacted that no ꝑsō shal work or cause to be wrought in any maner of tin workes called streme workes in Deuō, or Cornwal nigh to any fresh riuer or low place discēding to the hauēs or portes of plimouth, dartmouth. Tinemouth in ẏ county of Deuō. Falmouth & Foway, in the county of Cornwal, nor shal digge or wash ant Tin, in any of the said workes called streme workes, vnlesse ẏ digger, washer, or owner, shall make or cause to be made sufficiēt

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hatches, and tyes in the ende of their buddels and cordes, & therein lay the stones & grauel digged about the searchyng, finding and washyng of the sayde tin, there to be suerly kept fro the fresh riuers, vpon payn to forfait for euery time that any owner or Tinner shall digge or wash, or cause to be digged or washed any tin contrary to this act. x. li. half to the king, and half to the inhabitauntes of the sayde portes, townes, or hauens that wil sue for the same in any of the kinges courtes, by writ original bil, plaint, or informacion, or otherwise, in which no wager of law, ꝓteccion nor essoyne shalbe alowed. And if any persō happen to be accused, sued, endited, imprisoned, or amerced, or cōdēned, or otherwise vexed, in his person, landes, tinnes, goodes or catels by any minister in the court of stānery, or by any other persō for suing or attēpting any suit according to this statute, that then al such suites, contemnacions fynes, amerciamentes, inditemētes, & euery other act to be done in any of the sayd courtes of the stānery, or els where by any person againste any person or persons, for attempting any accion or suit, by vertue of this statute, shalbe voyd, & ye party so vexed imprisoned, or indited for suing any person offending the statute, shal haue accion by writ original, plaint, byll, or otherwise in any of ye kinges courtes agaīst such as shall attempt, or procure to vexe, or trouble any persons pursuyng for the forfaitures aboue saide, & shal recouer treble damages, and no wager of law, Essoin nor ꝓteccion to be alowed. And if

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any perſō for purſuing any ſuit vpon this ſtatute or an actiō therof, hereafter be impriſoned by any officer and miniſter of the ſtanery, their deputies or ſubſtitutes: then euery Juſticer of peace within any of the ſaid counties, wherein the priſoner ſhal happen to be impriſoned, vpō credible informacion, taking ſuerty by his diſcrecion for appearaunce of ſuch priſoner at the next generall ſeſſiōs, ſhal haue power to direct his warrāt to the keper of ſuch priſon or to any other perſon to whom the priſoner ſhalbe cōmitted vnto, cōmaunding him vpon pain of .xl. li. to deliuer and put at large the ſame priſoner, which if he refuſe to do, then euery offender to ſuſtai. xl. li. halfe to the kyng, and the other half vnto hi that is greued, to be recouered in forme aforeſaid, and no wager of law, eſſoyne, nor protection to be alowed. And if it ſhal appere, vpō the appearaunce of the priſoner at the Seſſiōs by examinaciō of the iuſticers that he was impriſoned contrary to this ſtatute: then to bee forthwith diſcharged, and if he wer lawfully impioned for any other cauſe, thē to be remaūded to priſon, by diſcrecion of the ſayd Juſticens of peace. Anno .xxi. H. viii. cap. viii.

It is alſo enacted, that if any perſon ſell, eſchage, or deliuer in any place or ground called the battaile grounde betwene Englande and Scotlād, to ẏ vſe of any ſcottiſhmā, any horſe, gelding or mare, without ẏ kīges licēce vnder his great ſeale, or ſel, eſchange or deliuer to any Scottes man within England, Wales, Barwike, or in ẏ marches of the ſame, or in any of ẏ

said batable groūdes to ẏ intent to be cōuerted into Scotlād, any horse, geldig, or mare, without the kinges licēce vnder the great seale: that then the same sale, eschaūge or deliuery shal be adiuged felony aswel in the seller, eschāger or deliuerer, as in him or thē, to whō such eschāge sale, or deliuery shalbe made, & that ẏ kiges iusticers of peace in their quart sessiōs, to ēquire, heare & determine the same in like maner as is vsed in other felonies. an. vicesimo. 3. H. 8. ca. 11.

Be it enacted that no person shal put any tāned Lether to sale any where, within the citie of Londō, nor within thre miles cōpasse about the same, onles it be bought in open market at Ledē hal, or els within any faires in the sayde citye or without the city, within thre myles cōpasse of the citie, and there to be serched & marked by such as haue the search thereof, as hath been accustomed, vpon pain of forfaytinge the value of euery hyde or parcell of Lether tāned or solde contrary to this act. Nor that any person vpon lyke payne put any tanned Lether to sale in any other place of this realme, but only in open markettes or fayres, the one half of the forfayture to the Kyng, & the other half within the Citie, or to such of the kinges subiectes that shal first sue therfore, & if the forfait happē to be out of the citie, and three miles compasse therof, then the moite to be to the king, and the other moite to the mayers, sherifes, & bailifes of cities, boroughes, and townes corporate & lordes of letes within whose iurisdictiō: such happē to be recouered by acciō of det, bil plaint

or informa-

informacion in anye of the kinges courtes, in which no wager of law, protection nor essoyne to be alowed. And for lacke of so doinge, then it shal be lawful to any of the kinges subiectes to haue power in suenge therfore.

And be it enacted that euerye person takynge vpon him the serche, markyng, or sealynge of anye such tāned lether, whiche doth put or set anye marke seale, or printe vpon any hide or pece of lether not sufficiētly tāned, shall forfait iii.s.e. iiii.d. for euery hyde or pece of lether, half to the kig, & the other half to such as will sue by writ original, bil, plaint or informaciō, in whiche no wager of law, essoyne, nor protection to be alowed. And where by the statute made the thyrde yere of kynge Hēry the eyght it is ordeyned that the wardes & felowshyp of the crafte of Cozyers in Londō, & theyr successours, or their sufficient deputies should haue serche of tāned lether in Londō, & the suburbes therof, & in other places next adioyninge, as saint Katherins and westminster. And in other Cities, & places where be no serchers appointed. Therfore it is enacted that al maiours, Baylifes shiriffes, and other chyefe gouernours of Cities, Boroughes and townes corporate, & lordes of fayres, & markettes within their iurisdiction, shall haue power to name and appoint two of the craft of Cordwainers or Cozers, or one of the one crafte, and an other of the other crafte, to vew and serche all tined lether brought to any markets or faires. And where none of the sayde two craftes

be, thē it shalbe lawful to the lordes, mayers or other officers, to appoint suche other of the kinges subiectes as be most expert in knowledge of tanned lether, & such as they shal finde sufficient to put a marke or print vnto. And no persō shall put any tāned lether to sale in anye faire or market before it be vewed, serched, & marked, vpon peyne to forfaite for euery hide put to sale. xx. d. the moite of al forfaites giuen by this statute, & of all other forfaites gyuē by any statute for and cōcerning tanned lether to be to the kyng, & the other moyte to ẏ mayers, bayliffes, & other head officers of Cities, Boroughes & townes corporate, & to the lordes of fayres & markets, within their iurisdiction, or to such of them that shal sease or sue for the same, if they take theyr sute, win. vi. monethes next after suche forfayt, & if not, thē to thē that wyll sue for the same by action of det, so that they sue within halfe a yere next after the said vi. monethes, in which actiō no wager of law, essoyne, nor protection to be alowed.

Also it is ordeyned that euery Coryer shall sufficiently corye, and blacke his lether tanned without fraude or deceite, vpon peyne to forfayt for euery hyde and pece of lether vnsufficiently coried. iii. s. and. iiii. d. half therof to ẏ kyng, and the other halfe to suche as shal fynd the defaut by action of det, byl, plaint or informaciō, in any of the kinges courtes, in which no wager of lawe, Essoyne, priuiledge, nor protection to be alowed. And the Iustices of peace in euery shyre, Citie, and towne corporate,

pozate, within the limittes of their cõmission, shal haue auctozite to enquire, heare & determine the offences, aswell by informacion as by presentmẽt, & to make like proces, as vpõ Indictementes ok trespas. And the serchers shall take foz euery ten pieces of tãned lether, so by him oz them serched, a peny & no moze, & that euery sercher vpõ lawfull requeste to him made by any person hauing tanned lether in market oz faire to be solde, shal put their pzinte marke oz seale to euery such piece of lether sufficiẽtly tanned without denyal, vpon payne to forfaite foz euery defaute. iii.s. and foure pens, the moytie to the kynge, and the other moytie to the party greeued that wyl sue foz the same by byl, plainte oz informacion, in any competent courte of recozde, in whiche no wager of lawe, essoyne, noz protection to be alowed. Anno xxiii. H. viii. cap. i.

It is enacted that euery person that shall sel any Beif, porke, mutton oz Vele, shall sell the same by weyght of haberde poys and none otherwyse, & to be cut in pieces accozding to the requeste of the byer, & the seller to haue sufficiẽt weyghtes sealed, called haberde poys. And ỹ no person take foz any pound weyght of beif oz porke aboue the pzice of one halfe peny, noz foz mutõ oz veale aboue the pzice of one halfpeny, and halfe ferthyng, vpon peyne to forfait foz euery pounde not solde by weight oz aboue the pzice limitted, and foz euery defaute contrary to the meanynge of this acte, thzee shillinges and foure pens, halfe to the kyng, & the

other half to him ꝑ will sue by bylle, plainte or
informacion, in whiche no Essoyne, wager of
law, nor ꝓtectiō to be alowed, heddes, neckes,
inwardes, purtenaunces, legges nor feete, shal
not be accōpted for no part of the carkesse, but
solde of a lower price. And Iusticers of assise,
iusticers of peace, or two of them at the leaste,
and al Mayers, bayliffes, & other hed officers
of Cities, boroughes and townes corporate, &
all other persons hauyng auctority before this
acte, to set price of flesh, and euery of thē with-
in their limites, shal haue power to set a lower
price of such fleshe as is remembred, and to en-
quire of suche offenders, and to awarde lyke
proces, & to set suche fines as they may do vpō
inditementes of trespas, where the karcases of
Beefes, Muttons and Porkes be solde better
chepe, then this acte shal not extende to suche
countie & place, but that they shall & may sel at
like prices, and after suche rate as they haue
vsed before this act, vpon payne as is afore-
sayd, any thinge to the contrarye not withstan-
dyng. In. xxiiii. H. viii. cap. iii.

It is enacted ꝑ al maner of persons hauing
in their occupacion. xl. akers of arable land, &
pasture apte for tyllage, shall yerely at their
owne costes tyll and sowe at seasonable tyme
one rode, ꝑ is the. iiii. part of an acre of land
with lynsede or hempe sede, or with bothe in
one place, or in seuerall places, vpon payne
forfaite for euery. xl. acres of land. iii. s. iiii. d.
and that all Iusticers of peace, Mayers, Bay-
lifes and Syrifes, in Cytyes, Boroughes

and townes corporate, in their sessyōs or other courtes within their limittes, shall enquire of the offenders of this acte aswel by the othes of xii. men as by informacion by their discrecion. And if any person be presented before them, or informacion giuen to them of any offendours, then they shal haue power vpon suche presentment or informacion, to make proces as vpon inditement of trespas. And if any be presented and after conuict by confession, or otherwyse. the to be forfayte, as is aboue sayde, to those of the king, if the offence be out of cities or townes corporate, and within Cities, and townes corporate, then the fines to the vse of the mayers, Baylifes or shiriffes, of the said Citie, borroughe, or towne corporate. And if any be conuict by confession or otherwyse by examinacion vpon any informacion made by the party, then the one half of the forfayte to be to the kynge and the other half to him that made the informacion. And for the leuynge of euerye suche forfaytes aswell the Iustycers of peace, as Maires, shirifes & baliffes, within the limites of their comission, shal haue ful power to make proces as they shal thinke by their discrecyon the informacion to be exhibite within one yere next after the offence, nor anye informacion or presentment for the kinge be of anye effecte except it be exhibit within two yeres next after the offence. Parkes for dere that be or shalbe, and wodes, low groundes for medowes, feles fennes, salte marshes, hethe groūdes, commēs, and suche like, be except out of this statute,

nor landes whiche haue not be put in tyllage this fyfty yeres, shall not be accompted wich-in this statute, nor shal not be extended nor ta-kē for landes, as shalbe tylled or broken for .ii. or three yeares togyther in .x. or .xii. yeres for clensinge of mosse, bushes, molhylles, or other like thinges, or for ꝓfe of aptenes of ye grounde to beare corne, so that in those yeres ye they be so plowed, ye thesame order be kept in sowinge of Flax and Hempe as is aforesayd. This act to continue to the last daye of the next parlia-mente. An. xxiiii. H. viii. Cap. vi.

Wherby a statute made in the .xxiiii. yere of king H. the eyght. It is enacted that the lorde Chaunceller, lorde President, lorde priuiseale and lord Treasorer & the two chief Justicers or .v. foure, or thre of them, should by their dis-crecion set the pryses of all kyndes of wynes that is for the But. Tū, Hoggeshed, Pipe, pū-chiō, Tierce, Barel, Rondelet, when ye they be solde in grosse. It is enacted that euery mar-chaunt & other ꝑsons which shall haue wynes to be solde, & refusing to sel or delyuer, or not selling any of the same wynes for readi money to be payde according to the prices then being set, shall forfayte the value of the wyne so re-quired to be bought. And ye Justicers of peace, Mayours, Bayliffes, & other hed officers, and Gouernours in shires, Cities, townes, & other places, at the requeste of anye of the kynges subiectes, to whom any denyall of sale of such wynes shalbe made according to the prices set by the lordes, & the Justicers shall enter into

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the houſes, and ſellers where the ſayde wynes ſhalbe, and to ſell & deliuer the ſame wines to the perſon requirynge to bye the ſame, takyng of the vier of the wines to the vſe of the ſatiſfaction of the forfait aforeſayde, after the rate of the prices therof beynge ſet. Prouided that yf the marchaũt or perſon that hath the wines depoſe vpõ hys bodely othe, to be gyuẽ by the diſcrecion of the Iuſticers of peace, mayours, Baylifes, or other head officers, that he keepeth the ſame to extende in his owne houſe, or to ſel by retayle, or otherwyſe, & not to ſell in groſſe: thẽ the ſame marchaũt & ꝑſon ſhal kepe & retayne the ſame. And if the marchaunt or other perſõ after ſuche bodely othe doe ſell the wines in groſſe, or any of thẽ, he ſhal forfait the double value of al ſuche wines ſold in groſſe, half to the kyng, & the other halfe to the party that will ſue by accion of dette, byll playnte, or infoꝛmaction, in whiche no wager of lawe, eſſoyne nor protection to be alowed. An. xxiiii. Henrici. viii. Cap. vi.

It is enacted that no ꝑſon ſhal kil or cauſe to be killed any weinling, bullocke, ſteere, or heyfer vnder the age of. ii. yeres to make ſale therof to any perſon whole or by retayle, vpon peine of. vi. s. viii. d. for euery weinlinge, Bullock, ſteere, or heyfer killed, and put to ſale cõtrary to this act, the one halfe of the forfayte to the king, the other half to the party that wil ſue, by accion of det, or infoꝛmaciõ in any of the kinges courtes, & no wager of law, protecciõ, nor eſſoine to be alowed, and the Iuſticers of

peace within the limittes of their commission at euery generall sessions to enquire, heare, & determine the premisses aswell by informacion and presentment, as by bill or playnte, wherin no wager of law, essoine nor protection to be alowed. This act to endure to the next parliament. Anno. xxiii. H. viii. Cap. ix.

Memorandum to see the last statute.

It is enacted ỹ euery person spiritual & temporal, keping and inhabitinge in any maners, meses, landes or tenementes, in their owne manurannce & occupacion of any estate of inheritaunce or for lyfe, yeares, or at will, or by copy of court rol, or otherwyse in possession or vse, shall do, and cause to be done as muche as in him shall or may be, to kil, & vtterly distroye al maner choughes, crowes, and rookes, abyding, bredyng or haũting within or vpon any ỹ sayd maners, landes or tenementes, where he shal inhabite or dwel, vpõ payne of a greuous amerciament, that is, if the offence be done by any person within the limittes of any lete, lawday, rape or court barõ: that then vpon a presentment thereof made before the stewardes of such letes, lawdayes, rapes or courts, the stewarde with two of the presentours by the stewarde & presentour to be named, shall set for euery defaute done contrary to this acte such amerciament as to thẽ shal seme reasonable, ỹ amerciament is to be to the vse of the lordes of the lawday, or courte where the offence shalbe done & presented, to be leuied by distresse as other amerciamentes be for comẽ anuſãce pre-

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sented. And yf the offence be done by such person that hathe the maners, lãdes & tenementes wherunto suche lete, rapes, or courtes belong vnto thẽ vpon presentmẽt therof made before the shiriffe in his turne, or iustices of peace in their sessions, the stewarde of the turne with ii. of the presẽtours to be chosen as is aforesaid if ỹ presentment be in the tourne, or two iusticers of Peace at the least, if the presentment be before thẽ shall set ỹ amerciamente by their discretiõ, to be leuied to the kinges vse amerciamẽtes vpõ presentmẽts of anusance. And ỹ in euery towne, shire, hamlet, & village, wherin is x. house holders at the least, the inhabytauntes there shall cause to be made a nette to take crowes, choughes, rookes, with al thyng requisite for the same. And they shall kepe, preserue & renew as nede shall require. And shall cause the same to be layde at suche tyme of the yere as is conuenient in such places as shalbe thought to take crowes duringe. x. yeres nexte after the feast of saint Michel next comminge vpon peyne to forfayte. x. s. the one halfe to the kinge, and the other halfe to the lorde of the Lete, Rape or courte Baron where suche Net shalbe lackinge, and not put in execution to be leuied of the towneship or hamlet where the net shalbe lackinge, and that euery nette with al things requisite therunto, shalbe once in the yere presented in the Lete, court Baron or rape, before the stewarde of the same. And that suche ordinauntes as shalbe made by the stewardes, tenauntes, and inhabitauntes, or

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the more parte of thē, for distruccion of crowes Rokes, and Choughes, shalbe put in due execution, and that the inhabitātes yerely during the sayde ten yeres at such tyme, and places as by the stewardes of suche Letes, Rapes and courtes, shalbe appoynted, shall assemble them togyther to viewe, and survaye all the sayde Mānours, landes and tenementes & shal conclude by what meanes it shalbe beste policye to distroy all the yonge brood of the sayde choughes, Crowes, and rookes, for the yere, & the sayd assemble shall make yerely during the sayde ten yeres for the same, and shall put the same in due execution, upon payne to forfayte euery yere, so omytting suche assemble & viewe making .xx. shillinges after presentmēt therof had before the kynges Justicers of peace, half to the kynge, and the other halfe to the presentours of the sayde offence to be leuied by distresse like amerciamentes for common annoyaunce to be leuied. And Justices of peace in their sessions, sheriffes in their turnes, stewardes, Mayours, and Baylifes in their Letes rapes & courtes shal giue in charges to the inhabitauntes & all other appearinge before the that they shal duely enquire and put in execucion the effect of the premisses. And that euery Fermour, or owner haupyng landes or tenementes in his owne manuraunce of the yerely valne or rent of fiue pound shall pay to euery pson which at his own cost doth take any olde crowes, rokes, or Choughes, upon hys sayde landes or tenementes, two pens for euery hē-

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sen of olde crowes, rookes or choughes & anye person shall take and offer to any suche owner or fermour, & for sixe olde crowes one peny, and for three olde crowes, rookes or choughes, one halfpeny. And if anye suche owner or fermour refuse to pay the money, thē vpon complaint and proofe made therof to the Justyces of peace, or hygh Constable, the sayd Justices or hyghe Constable shal cause the sayde money to be leuied by distresse of the goodes & catteles of euery such fermour or occupier refusinge to pay the sayde money accordynge to this acte. In.xxiii.H.viii.Cap.x.

It is enacted ỳ no persō weare or vse in any maner their apparel, or vpon their horse, or other beast anye silke of the colour of purple ne clothe of gold or tissue, but only the kynge the Queene, the kinges mother the kinges chyldrē the kinges brethren & sisters, & the kinges vncles & Auntes, except the Dukes & Marquesses, to vse & weare in their doubletes and sleueles cotes, cloth of golde and of tissue, so it extede not the price of fiue pounde the yarde & in none other their garmentes, so ỳ this worde purpure, extēde not to the mantel of the order of the garter. And no man vnder ỳ estate of an Erle, vse or weare in his apparel, or vpon his horse or other beaste, any cloth of golde or siluer, or of Tincelde, Satē, or any other sylke myxte or brodred with golde or sylver, nor any furres of sables, excepte Vicountes the prior of saynt Johns, and Barōs, to weare in their doublets & sleueles cotes, cloth of golde,

or

or siluer, or tincel. And that no man vnder the degree of a Marques & Erle, & their children or vnder the degree of a baron, vnlesse he be a knight of the order of the garter weare in any of his apparel any wollē cloth made out of this realme, Ireland, Wales, Caleys, Barwike or the marches of thē, ne weare in any apparel of his body, or on his horse, beast, or harneis of ye same, any maner veluet of cremisen, scarlet or blew colour, ne any furres of blacke Genets tuserne, ne any maner enbrodringe. And that no mā vnlesse he be a knight, weare any coller of gold named a coler of S. nor no man vnder the degre of a Barons son, or a knight, except he may spende for terme of lyfe, of landes, or frees to his owne vse two. C.li. ouer all charges yerely, weare any cheine of golde, bracelet, ouche, or other ornamente of golde, in any part of his apparel, or of theyr horse, or beaste except it be in weight, an ounce of fine golde, or aboue, excepte ringes vpon their fingers, ne weare any veluet in their gownes, cotes with sleues or other vttermost garmentes, nor any furres of Libardes, nor any enbrodery pricking or printinge with gold, siluer, or slike, in any part of his apparel, or on their horses or beastes. And that no man vnder the saide estates, and degrees other then suche as may dispende one hundreth pounde by yere ouer all charges weare ani satē, damaske, silke, chālet or taffata in his gowne, cote & sleues or other vttermost apparel, nor any maner of Veluettes, otherwise then in sleueles iackets, dubblets, coites

part-

partlettes, or purſes, or any furre wherof the like kynde groweth not in Englande, wales, Ireland, Caleys, Berwike, or the marches of the ſame, except Foynes, gray genettes, & Bogie. And that no man vnder the ſayd degrees other thē the ſōne & heyre apparāt of a knight, or the ſonne and heyre apparante of a mā that may diſpende three hundreth markes by yere ouer al charges, & ſuche other as may diſpende forty pounde by yere ouer al charges, weare in theyr gownes or vttermoſte apparel any chāmlet, ne ſilke, nor weare in any other part of their apparel any ſilke, other then Saten, Damaſke, Taffata, or Sarcenet i their doublets, & Sarcenet, Chamlet, or Taffata in their linynges of their gownes, and the ſame or veluet i their ſleueles cotes, Jackets, gerkins, cotſes, cappes, purſes or partelets, the colours of ſcarlet, cremiſine and blew, except, nor ſhall weare any furres of Graye Genetes Foynes, nor any other furres, wherevnto the like kinde is not growynge in Englande, Ireland, Wales, Caleis, Berwike or the marches of the ſame, ne ſhall weare anye aglets, botons, or broches of golde or ſyluer, gylte, or counterfayte gylt, or made with anye other deuyſe of anye weyght, nor weare any cheyne of golde, of leſſe weyght & value thē ten ounces of troy weyght, of fine golde. And that no man vnder the ſaid degrees other then ſuch Gentilmen as may diſpend. xx. pounde in landes, fees or amerciamentes ouer all charges, ſhall not weare any maner of ſylke of any apparell of his bodye, or of his

horſe

horse or beaste, except it be Saten, Taffata, Sarcenet, or Damaske in his doublet or coyfe, and Chamlet in his sleueles Jacket, and a lase of silke for his bonet or pointes, laces, gyrdels or garters made or wrought in Englande, or wales, nor shall weare anye furres of blacke cony or Dogy. And that no mā vnder the said degrees, other then such as maye dispende. v. li. ouer al charges yerely, weare any cloth of ye colour of Scarlet, crimisien, or violet i graine, or any sylke in their doublets, or Jackettes, nor any other cloth in any garment aboue the pryce of sixe shillinges, & eyght pens the brode yarde, nor any other thynge made out of this realme, except chamlet in their doublets, and Jackets. And that no seruynge man takynge wages, or such other that may not dispende. xl shyllinges by yere, shall weare any clothe in his hose aboue. ii. s. the yarde, and that none of their hoses be garded or mixed with anye other thing that may be seene on, or through the vtter part of their hoses, nor in his owe cote, or Jacket, or other garment anye clothe aboue the price of three shyllinges and foure pens the brode yarde, except his maisters liuery, nor any furres, except gray cony, blacke lambe, or white lambe of Englishe, walsh or Irishe growing, nor weare any shert, or shert bande, vnder or vpper cap, Coyfe, Bonet, or hat, garnished, mixte or wrought with sylke golde or siluer, nor shall weare any bonet, or shyrt bande wrought oute of this Realme, or wales, but he may weare a sylke ribād for his

bonet

bonet, & the cognisaunce or badge of his lorde or mayster, and a horne typped or flued with syluer, and gylte or vngylt. And also vpō theyr bonettes suche games of siluer, gylt or vngylt as they may wynne by wrastlyng, shoting, rēning, leapinge, or casting the barre, & maisters of shyps & other vessels & mariners to weare a whistell of syluer, with the cheyne of syluer to hange the same vpon. And no maner husbande man to weare in his hose anye clothe aboue the price of two shyllynges, or any cloth in his gowne, aboue the price of. iiii. shillinges the brode yarde, or his Jacket or cote aboue the price of. ii. s. and. viii. pens the brode yarde nor in his dublet ani other thīg thē is wrought within this Realme, fustian and canuas only except. And that no seruyng man in husbādrye, nor iourney man in handye crafte, takyng wages, weare in his hose anye clothe aboue. xvi. pens the brode yarde, nor in his gowne, Jacket, or cote aboue. ii. s. and. viii. d. the brode yarde, nor in his dublet anye other thynge then Fustiā, cannas, or lether, or wollen cloth, nor any maner furre in anye of his apparell. Prouided that all officers and seruauntes awaytynge or attendinge vpon the kinge, the Queene, Prince, or Princes, dayly or quarterly, or in their chekerroll as shalbe licenced by his grace to weare any maner apparel vpō their bodies or horses, maye and doe the same licēce to be declared by the king in writinge or by the lorde stewarde, or lord Chamberlayne.

Prouided that the lorde Chaunceller, lorde

Treasorer

Tresorer, lorde President of the counsel, and Lorde of the priui seale, may weare anye maner veluet or silke except purpure colour, and any maner furres except blacke genets. And that none of the clergy not beinge a lord of the parliament, weare in anye of theyr apparel of theyr bodies, or horses, or beastes, anye stuffe wrought out of this realme, wales, Ireland, Berwike Cales, & the marches therof, except ẏ it shalbe lawfull to all Archedeacōs, deanes Prouostes, Maisters, and wardens of cathedral and collegiate churches, prebēdaries, doctours or bacheler in diuinite, doctours in the one law and the other, & also doctours of other sciences whiche be admitted in the vniuersite to weare sarcenet in their lininges of theyr gownes, blacke saten or blacke chālet in their doublets and sleueles cotes, & blacke veluet or blacke sarcenet, or blacke satten in theyr typpettes & rydinge hoodes or gyrdels, and also clothe of colour of scarlet, murry, or violet, & furres called gray, black bogy, foynes, shākes, calaber, gray fich, foxe, lambe, Otter & beuer. And that none of the clergy vnder the degrees aforesayde, other then maisters of art, bachelers of one lawe or the other, admytted in any vniuersite, or such as may dispende yerely, xx. li. ouer all charges, shall weare in their tippetes anye maner Sarcenet or other silke. This acte extendeth not to any of the kynges counsell, ne to the Iustices of the one benche nor of the other, Barons of the escheker, mayster of the Rolles, seriaunt of the lawe, mayster

sters of the chauncery, ne to any of the kinge & Quene, ye Prince or Princesse, apprentice of ye law, ne to ye kinges, the Quenes, the Prince, or Princesse, Phisicions, Mayers, Recorders, Aldermen, Sherifes, Bailifes elect, and all other headofficers of cities, tounes & boroughes corporate, wardens of occupaciōs, the Barōs of the fiue portes, that is to say: to all the sayd officers and persons that now be, or heretofore haue been, or hereafter shalbe, but that thei at al times may weare al suche apparel vpō their bodies, horse & beast, & also Citezins, Burgesses, suche hoodes of clothe of suche colours as heretofore they haue vsed to weare, except veluet, damaske, or Saten of colours crimsin, violet, purple, or blew, otherwise thē by this act, is by reasō of their lādes ꝑmitted or assigned. Ne this act shall not extēd to ani ēbassatours, or other ꝑsons sent from outward Princes, or to noble mē, or other mē cōming ito this realm or other part of his obeysance to se the coūtrey not minded to tary, ne to any hēchmā, Herold or Purseuāt of armes, minstrels, players in enterludes, or to mē of warre being in wages, nor to any man wearing any apparel geuen to him by the king, the Quene, ye Prince ye Princes, ne to ani sweord bearer of city or town corporate, ne to any vtter barrester of ye Innes of court for wearing such silke or furres as is lymitted for mē that dispend forty pound ouer al charges, nor to any studēt of ye Innes of court or chauncery, nor to any gentleman beyng seruant to any lord, knight, squier, or gentleman,

whose master may dispend forty pound ouer al charges for wearing by suche student, and gentlemā being seruāt, of doublets, and partlets, of saten, damaske, or chamlet, or iackets of chāmlet, which doublets, Jackets, or ꝑtlets be geuē to them by any of their parentes, maisters or kinsfolke, so thei be not of ẏ colours of crimsē, purple, blew or scarlet, nor for wearing of any furres, wherof the like groweth not within this realme, marterns, and blacke cony except. And if any man vse to weare any apparel contrary to the tenour aforesaid, then he so offending shall forfait the apparell aforesaid, and other the ꝑmisses so by him vsed, or worne vpon his body, horse, or beast, wherwith soeuer it be garnished, ēbrodred or mixed, or ẏ value therof, and thre. s. and 4. d̄ in the name of a fine for euery day that he shall so weare the same. And that euery mā may sue for the same by acciō of detinue to be cōmenced within. xv. dayes next aft ẏ beginning of the terme nexte ensuing aft such cause of forfaiture, in which acciō, no wager of law, essoin, nor protectiō shalbe alowed, ẏ one half of the forfait & fine to the king, & the other half to hi ẏ will sue i time limited. And ẏ iustices of peace in their sessiōs, ẏ sherife in his turne, ẏ steward in letes & lawdayes ẏ Aldermē in their wardes, & al other persons hauing auctority to enquire of blodshed & frayes, to enq̄re of ẏ said offēces & forfetures, & ẏ parties so offēding, & presented, shall make fine after ẏ rate aforesaid. Prouided ẏ this act be not preiudicial to any spiritual ꝑsōs, for wearing any

ornamentes

ornamentes of the church, or for wearing theyr garmentes of religiō or other thinges which they be vsed, or bold vnto by their rowmes or promocions, ne to any graduates, beadles, or ministers to ỹ graduates i vniuersities, for wearinge of their habites or hoodes, & furres or lininges, as they haue ben accustomed. Prouided ỹ this act be not preiudicial to any plō for wearinge of lint cloth wrought out of this realm, or to any plō being of ỹ degree of a gētlema, for wearing of any shirt made or ẽbrodred & thred & silk only, so ỹ the same worbes or ẽbrodery be made i this realm of Englād, wales, Caleis, or Berwike or ỹ marches of the same. an. 24. H. 8. c. 15.

It is enacted that euery owner, grasier, fermer, breder, drouer, & brogger, that haue any beftes, muttōs, beales, or porkes, fat to be sold for mannes meate, shal whensoeuer any person shal resort to them, to bye the same to be killed or retailed again by lawful weight, shall make sale of their said cattel to euery such butcher as wil bye ỹ same to be retailed by lawful weight at such reasonable prices, so that the said Butcher or other, alwaies may retaile the same agai by lawful weight, the sayd Butchers alwaye paying ready money in hande for the same cattels or at suche dayes as the owner of the same cattelles may be agreed withal. And if the owners, graziers, fermours, breders, droners, broggers, or any of them refuse to set any suche reasonable price, and to make sale of theyr sayd cattel to the butcher or to any other persō that wyl bye, kyl and retayle the same again by lawful

full weyght, as is afore saide: then euery iustice of peace within the limites of his commission inhabitaunt next vnto the place where such refusall shalbe made, and mayers or bailiffes of other places corporate, vpon complaint to him or the to be made by any person which wouldbie the said cattel, to sel again as is before said shal haue power to direct his precpt vnder his seale, vnto .iiii. iii. or .ii. honest psons not being fermours, tenātes, or seruauntes to the owners of the said cattel, commanding them to set and taxe the saide prices indifferētely betwene the said parties in suche wise as the butcher which shal bye the sayd cattel to sel again by retayle, as is afore said, shall be no loser in vttering the flesshe of the same cattel by weight. And if any owner, fermour, grasier, breder, or brogger, or any of the said .4. .3. or .2. of the said indifferēt psons appointed by the said iustices, mayers, or bailifes, or any of them refuse to obey & perfourme the said precept, or to vttre & sell their cattel of like nature in forme afore saide: then euery the said owners, fermours, grasiers, drouers, breders & broggers, & also ye said .4. .3. or .2. indifferent psons, & euery one of them making such refuse, or not executig, or not obeying the same, if it be within .xl. daies before any of the .4. time of the perely exercising of ye lawes of this realme shalbe comaūded by any of ye said iustices, mayers, or bailifes, euery such offendour vpō payne of .xl.li. personally to appeare before the king & the lordes of the counsayle, in the sterre chamber at westminster or other place of their comon assemble

assemble in the terme time next ensuing ẏ said xl. dayes, there to make fine, and to abyde such punishmẽt as shalbe thought by the lord Chãceller, Treasorer, and other lordes of the coũsaile for the time being. And that such offẽce be in any of the said termes, thẽ like monicio, pain and certificat shalbe made by any of the said iusticers, maiers, or bailifes in forme beforesayde at the next terme then following. And if any iustices, maiers, or bailifes of places corporate, vpon complaint to them made, do not in time and place cõuenient vpon request to him made ward his precept to .4. .3. or .2. indifferent persons by his discrecion, & also geue monicio vpõ pain aforesaid, and make true relacio and certificat by writing vnto the king & his coũsel of the said refusal or the misbehauour of any of the said owners, fermours, graslers, drouers, bryers & broggers, & also ẏ said .4. .3. or .2. indifferẽt plons, as ẏ trouth of ẏ case shal require, yf the said iustices, maiers, or bailifes in time and place conuenient, be reasonably required so to doe, thẽ euery the said iusticers, maiers, or bailifes, so required to make his warraunt, for to geue monicion or to make certificat, & refusing that to doe in forme aboue said, shall forfait for euery such defaut .xl.s. the moity of which forfaiture shalbe to ẏ king, and the other moity to him that wil sue for the same by bil, plaint, accõ of det or otherwise, & no wager of law, essoin nor prectio to be alowed, An. 25. H. 8. ca. 1.

It is enacted that the vice of Buggery, cõmitted with mankinde, or beast to be adiudged

felony, & that no ꝑson so offendyng shalbe admitted to his clergy. And that ꝑ iustices of peace shall haue power to heare & determine the same as other felonies. This act to endure to ꝑ last day of the next parliament. An. 25. H. 8. Cap. 6.

Memorandum to search the new statutes.

It is enacted that for paning of the streetes in Southwarke, that is out of ꝑ liberty of the city of Londō, and for the amēding and repayring of the same, the iustices of peace in the cōty of Surrey shall enquire of the premisses, & heare and determine and punish the defautes, as it is for paning in the liberty of the cytye of London. An. 25. H. 8. Cap. 8.

Where there hath ben great plēty of Ducks Mallardes, Wigins, Teales, Wildgeese, & diuers other kind of wildfoule within this realme. It is enacted that it shall not be lawful to any person betwene the last day of Maye, and the last day of August, to take or cause to be taken any such wildfoule with nets or any other engins, vpon pain of one yeres imprisonmēt, and to forfait for euery wildfoule so taken. 4. d. the one half to the king, and the other halfe to hym ꝑ will sue for the same by action of det, in any of the kinges courtes, in which no wager of law, essoin, nor protectiō shalbe alowed, & that the Iustices of peace shal haue power to enquyre, heare & determine ꝑ offēces aboue said, as they do in tresp̄as. Prouyded ꝑ any ꝑson that may dispend xl. s. by yere of freehold, may hunte & take such wildfoule with their spaniels only, or longbowes, without nets or other engis. And

that

that no persō take or destroy any maner of egs of any kind of wildfoule frō anye nest or place where they shal chaūce to be layde by any kind of wildfoule vpon pain of imprisonmēt by one yere, and to forfait for euery egge of Craine or bustarde so destroyed, or taken from anye nest or place. xx. d. & for euery egge of Heron, Butter, or Shouelard. viii. d. and for euery egge of euery other wildfoule one peny, the one half to the king, & the other half to him that wil sue, wherin no wager of law essoine, nor protecciō to be alowed. And the iusticers of peace shall haue power to enquire, heare & determine the same. Prouided that this act extēde not for destroying of any wildfoule or their egges, that be not cōmōly vsed to be eatē. 3 n. 25. H. 8. ca. 2.

It is enacted that no person shal kepe, occupy or haue in his possession, in his own proper landes, nor in the possession lādes or groūds of any other ye hath in ferm. nor haue of his own proper cattel in vse possessiō, or property aboue the number of two thousand shepe at one time within any part of this realm of all sortes and kindes, vpon pain to forfait for euery shepe aboue the number thre. s. & .4. d. half to the kīg, & ye other half to him that wil sue, by writ, byl, plaint or informaciō in any court of recorde, in which no wager of law, essoin, nor ꝓteccion to be alowed, lābes vnder ye age of one yere shall not be accoūpted of the nūber of shepe ꝓhibit. And if any ꝑsō hauing shepe of his own, happē to be made executour or administrator, or to be maried to any persō that hath shepe, by reason

wherof the person so being executour, or ministratour, or maryed shal happen to haue aboue the noumber of two thousande, then in euery such case that person to lose no penaltye so that he within one yere next after such auaunceme̅t doo sell them, or otherwise dispose the̅, so that aboue one yeare he shall not kepe, haue nor occupy any mee number then is aboue said limited. And if any person by his last wyll geue to any childe within age, any number of shepe, & appoint the̅ to be kept by his executors or some other person to such time as the child come to a certain age limitted in his wil: the̅ in euery such case after the death of the testatour, the sayde shepe being in ẏ possessiō of the executours, or of any other person to the vse of the child for ẏ time only, that he shall be limitted to haue the shepe, by the wil, shal not be accepted against the executour or any pson so hauing the shepe, any of the nūber of ẏ shepe, prohibit by this act. And the iustices of peace shall haue power to enquire of ẏ offenders, aswel by ẏ othes of xii. me̅, as by informaciō & to make pces as vpō presentmentes of trespas. And no pson being conuict by confessiō or otherwise, put to lesse fine the̅ after the rates of the forfaitures afore limited. Prouided ẏ the party begin his suit within one yere next aft̄ ẏ offence & the king within .3. yeres next aft̄ ẏ offēce to take his presentmēt or suit. And ẏ al & euery pson hauing inheritāce in possessiō or in dower, or by ẏ curtesi of Englād, or liberty of foldage, may at al times hereafter haue, and kepe vpon their owne de-

meane

meane land, pastures, and folderourses, as many shepe and lambes, in number to their owne vse profit, as thei might haue had & kept vpō the same, any time before ẏ making of this act. And euery such person so hauig two.M. shepe or aboue, shal not kepe or haue any shepe aboue and beside the saide number vpon any landes whiche thei haue in ferme or otherwyse, vpon lyke payn and forfaytures for ẏ same, and that is.iii.s.e.iiii.d. for euery shepe aboue the nūber of two thousand shepe. And if the said lāds suffise not for feding, and kepyng of two thousand shepe, then euery such person maye haue & kepe vpon the said landes and vpon his ferme holdes to the number of two thousande shepe, and not aboue, vpon the paine for euery shepe aboue the number, thre.s. and.4.d. And euery pson keping household to haue frō time to time suche cōuenyente noumber of shepe aboue the nūber expressed in this act, as shalbe necessary for the onely expēses of his household to be kept and fedde in, or vpon his owne landes or other landes, as he may haue or proude for in ferme or otherwise, so ẏ at no one time he shall kepe any number of shepe mo thē shal suffise for the only expēces of his household for one yere, without fraude or couin. And ẏ no pson being lord owner, or fermor of any liberties of fold course within any townes, village or hamlet, within any of the coūties of Norfolke & Suffolke, shal take ferme for yeres or otherwise, any quilletes of lāds, ẏ is to say any nōbre of acres lieng or being within ẏ pcincte of ẏ liberty of ẏ sayd

folde

fold courses, but shal suffer their owners or fermours, to manure and pasture the said quilets & to suffer ẏ shepe of the owners or fermours of the sayd quillets, after the rate of the same quillets, to go with the flocke of the owner or occupier of the libertie of fold course, payinge ẏ customary charges for keping & feding, after the rate and vse of the coũtrey there vsed, vpõ pain of forfaiting for euery time that such persons hauing such quillet shalbe letted, or interrupted of pasturig of any of his shepe after the rate of his quillet for euery such shepe. 3. s. 4. d. And this braunche to be taken & auaylable to such tenãtes, and occupiers of such quillets as might of right haue vsed to haue pasture & fedig in the said fold course by reasõ of their quillets. And the number of. ii. M. shepe, to be accompted aft̃ fixe score to the hũdred so ẏ euery thousand shal cõtain. xii. hundred after the lesse nũber of hundrethes. And also lambes vnder the age of. i. yere & as much as shalbe frõ ẏ time of ẏ falling of thẽ vnto ẏ feast of. S. J. Baptist in any one yere aft̃ to come, shal not be takẽ for shepe ꝓhibite by this act. And al spiritual ꝑsõs to kepe as many shepe vpon their own landes as thei might haue done before the makinge of this act. And no ꝑsõ shal take in ferm for terme of life, yeres or at wil, by ĩdẽture, copy of court rolle or otherwise, any mo houses & tenemẽts of husbandry wherunto any lãds are belõging in town, Tithig, Village, Hamlet, aboue the nũber of two such holdes or tenementes. And that no mã shal hold or occupy any such holds

so

so newly taken to the number of two, except he dwell in the same parish where the holdes be, vpō paine of forfaiture for euery weke that he shall so occupy or take any profites thre.s.4.d. half to the kinge, & half to him ẏ wil sue in any of ẏ kigs courtes, by bil, plaint, or informaciō, or otherwise within one yere next aft such contēpt & offēce, in which no wager of law essoyn nor protecciō shalbe alowed. An.25.H.8.ca.13.

It is enacted ẏ al such ꝑsons as haue landes or tenemētes for terme of life, fee simple or fee taile, to ẏ yerely value of.xl.s.ouer al charges, shalbe enpanelled, & haue power to enquire of heresies, & their ꝑsentments to be good, & that euery ꝑson being indited of heresy, or accused by two lawful witnesses at ẏ least, to any Ordinary hauīg power to examine heresies, shall be cited or takē by the said ordinaries, or any other ẏ kings ministers & subiects. And aftward shalbe cōmitted to the ordinari, to answer in open courtes, & in opē place to such accusaciō or presentmēts. And if thei be cōuict of heresy, thei shal abiure if thei wil renounce their heresies, & doe such penāce as shalbe limitted by the discreciō of ẏ ordinary. And if thei after cōuicciō refuse to abiure, or aft abiuraciō fal in relapse, & be duely accused & ꝑsēted or cōuict therof, thē in suche case thei shalbe cōmitted to lay power, to be burned in opē place. The kigs writ. De heretico cōburēdo first obteined for ẏ same. And such ꝑsōs as shal happē to be accused or īdited of heresi shal & mai be lettē to baile bi ẏ ordinari by their discreciō, or els ī their defaut if thei refuse

fuse so to doe, thē by the discrecion of the iusti-
ces of peace in that shire where such persons so
accused do inhabit by 4. sufficiēt suerties to be
boūde by obligac̄ or recognisaūce to appere be-
fore ꝑ ordinarie at such day, time, and place as
shalbe limitted in the said bādes by the said or-
dinaries or in their defautes, by the said .ii. iu-
sticers, except the ordinarie cā declare to ꝑ king
& to his coūsel a reasonable cause ꝑ ꝑ said ꝑson
should not be let to baile. An. 25. H. 8. ca. 14.

It is enacted that no person excepte he haue
lādes, tenemētes, fee, or annuites, to his owne
vse to the yerely value of one. C. li. shall shote
in any handgūne or crosbow, or vse or kepe any
handgūne or crosbow in his house or elswhere
vpō pain to forfait for euery time that he offē-
deth cōtrary to this act. x. li. And that it shalbe
lawful to euery person that maye vse, kepe or
shote in any crosbow or handgun to sease and
take euery such crosbow and handgun, frō the
same offendours and to retain the same to hys
owne vse. And that no lord nor owner of anye
Lete, beare or maintain any of their tenātes or
seruantes within the iurisdiccion of their letes
to do or offēd cōtrary to this statute, vpō pain
to forfait for euery time so offending. x. li. halfe
to the king, and the other half to the party that
wil sue for the same, by byl, plaint, acciō of det
or informacion in any of the kings courtes, in
which no essoin, protecciō ne wager of law shal
be alowed. And it shalbe lawfull to ꝑ iusticers
of peace in their sessiōs, and al stewardes and
bailifes in their letes to enquire, heare & deter-
myne

mine euery such offence, & no lesse fine then .x. li. to be assessed vpō euery such presentmēt and conuiction after the course of the lawe, the fine made before the Justicers of peace, to be leuied only to the kinges vse. And ꝑ fine made before the stewards, the moity therof to be leuied, and payde to the vse of the owner of the lete, by distresse or action of det, & the other moity to the party ꝑ will sue for the same in any of ꝑ kinges courtes, by bill, plaint, or accīō of det, in whiche no wager of law, essoine nor protection shal be allowed. All licences, letters, placardes made or hereafter to be made, to shote i crosbowes, hādguns to be void, except that the king may licēce by his letters patētes, vnder his gret seale any plō to shote in crosbowes hādguns. This act shal not be hurtful to any plō appointed by the kīg to take or receiue any crosbowes or handguns that shalbe forfait or taken in the kinges forestes, parkes, or closes, but ꝑ he may lawfully kepe thē, vnto the time ꝑ kīges pleasure be further knowen in that behalf. This act extendeth not to the makers of crosbowes, & hādguns but that thei lawfully kepe them in their houses & shote in thē only for assaying thē. In all walled townes within .7. miles of the sea, or holde standing vpō the sea coost, or vpō any of ꝑ Englishe marches against Scotlād, it shalbe lawful to euery mā dwelling in such townes, or hold, to kepe within ꝑ same, crosbowes & hādguns for the onely defence of the said townes, holdes, & houses, & also to vse thē therfore, and to carie thē to their shippes, there to exercise thē

for

for ye defēce of their ships, & their goodes therin. The king to take his actiō therfore within one yere next after ye offence, by examinaciō before the counsell, or els by actiō or proces. And euery other persō within halfe a yere next aft such offēce, to cōmēce their suites, īformaciō or presētmēt, vpō such forfaites as be expressed in this act. This act extendeth not to any marchātes whiche haue crosbowes to sell or handguns, & to none other vse, if any ꝑson bring or cause to be brought any crosbow or hādgunne īto his lodgīg, or īto any other mās house, penalty of this act to ren vpō ye bringer therof, & not to the owner of the house or lodging, if the owner of ye lodging cause the bringer therof to recary the same Whi at his departīg if any ꝑsō se or find any ꝑson doyng or offēdīg cōtrary to this act, thē it shalbe lawful to euery suche ꝑsō finding or seing any such ꝑsō so offēding, to attach euery such offēder, & bring him to the next Iustice of peace in ye county & the same iustice of peace vpō examinaciō & proke therof had before him, by their discreciō shal haue power, to sēd ye offēders to ye next gayle, there to remain tyl ye the penaltie & forfaiture shalbe payd by ye offēder, ye one half to the king, & the other half to ye first bringer or cōueier of ye said offender to the same iustice of peace. This acte shall not be hurtful to seruātes ye shal vse or assay any crosbowe or hādgū by cōmaūdemēt of his maister, so that he shoote not at any Dere, wildfoule, or other game, nor to any seruāt ye shal conuey or beare any crosbow & hādgū, to any place by cōmaūdement

nauement of his master ẏ may shote by thys act, so that the seruaunt haue licẽce in writyng sealed, & subscribed by his masters hand ready to shew to euery person requiryng the same to euery thesame crosbow or hangun to the intẽt to be amẽded, repaired, or assaied. This act shal not be preiudicial to any gunners beyng in the kinges wages, only for shoting in handgũnes, bearing & kepig of the same in their houses, so ẏ they doe not shote at any beastes or foules. And it shalbe lawfull to the inhabitauntes in Cumberland, westmerland, Northumberlãd, & Durhã, to kepe in their houses crosbowes, and handguns and shote in thesame for the defence of the same houses, their persõs & goods, agaynst Scottes, theues, and other enemies, & for scouryng of the same onely, and for none other purpose. an. 25. H. 8. cap. 17.

It is enacted that euery person that taketh vpõ hi to haue and kepe any passages, or feries ouer Seuerne into Southwales, or ito the forest of Deã frõ hẽceforth do not cary nor cõuey with any maner barge, bote or other vessel any pson with horses, mares, or other cattel, nor no other pson nor ysons before ẏ sũne rising in the mornig, nor aft the sun going down at night, vpõ pain of imprisonmẽt & fine to be set vpo hi that shal so conuey or cary ouer any of the said passages of ẏ said riuer out of Englãd ito wales, or to the forest of Deã or out of wales, or ẏ forest of Deã ito Englãd, vnles ẏ said passengers & euery of thẽ haue good knowlegs of such psõs, & of their dwelling places, & vpõ requeſt

to

to them made by person to disclose the name & dwelling place of euery suche person so by thē conueyed ouer the sayde water, to any person requiryng the same if suit be made for or after thē vpō any out crie, huite or fresh suit for any felony or robbery, or manslaughter. And ẏ iustices of peace within the coūties of Glocester and Somerset, at their quart̄ sessiōs, shal haue power to cal before them al such ꝑsons, which shal kepe any of the said passages, and to binde them with sufficient suerties with them by recognisaunce in such summes of money as shall seme to them to do by their discrecion that they shall not after the said times appointed conuey or cause to be conueyed any person or kynde of cattel but suche as thei know and will answer for, and know where their habitaunces be, and vpō request to them made frō time to time shal disclose as wel the persons as their goodes, so passyng the said passage vpon fresh suite so to be made vpō any felony or murther done within this realm, or Southwales. an. 25. H. 8. c. 5.

It is enacted that the iustices of gayle delyuery and of peace, & euery of thē in euery shire of Englād where the kinges writ rūneth next adioynīg to the lordship marcher, & other place in wales where any counterfaiting, clippyng, washing, or minishing of ani coin, currāt within this realm, or murther, or any other felonies or accessory shalbe done, shal haue auctority at their sessions, and gaile deliuery to enquire by verdit of. xii. mē, of ẏ same shire next adioining there to cause them to be indited, as if the same

treasons

treasons, murders, & accessories to the same had ben done within any of the same shires, to heare, and determine the same accordynge to the lawes of the realme, & all forein pleas of the same offenders shalbe tried within the same shire. And the acquitell or fine makynge within any of the lordshyps marches for the same cause, shalbe no bar for any person endited in the same shire within it, yeres next after suche murder or felony doone. And the sayde Justices of peace, and Gayle deliuerye and euery of the, shall haue auctorite to award all maner proces, aswel of outlawry as otherwise against euery such offendour according to the lawes of this realme, and that the sayd Justices or two of them, before whome suche offenders shalbe outlawed, or attainted, shal immediatly vpon that vtlagarie or attainder, sende vnto the kinges officers of his lordshyps marches, or vnto their deputies, or vnto the lorde marcher of the same lordeshyp marcher or to their officers or deputies, wherin such offence shal happē to be done, or where such offēdours shal happē to be reseyant a certificat vnder the seales of them, or two of them of any such vtlagary or attaynder cōmaundinge them by the same vpon peyne of a hūdreth pounds to the kyng to be leuied of their goodes, landes, and tenementes of the same lord marcher, as of the goodes, landes & tenementes of the kinges officer there, to take or cause to be attached the bodye of the same offender so outlawed, or attainted, & safely to be kept til suche conuenient

time before the next sessiõs of the kigs iustices of Gayle deliuery of the shire where such offẽdour shall happẽ to be outlawed or atteinted, as to the kinges officers of his lordships marches or their deputies, or vnto ẏ lord marcher, or to his deputie or officers where suche offendors shalbe attached & kept, as shalbe thought expedient for the couenaunce of the same offendours, in fourme folowing to be deliuered frõ the kinges officers, or officers deputies, or frõ the lord marcher, or his officers to other psõs assigned by this act to receiue and conuey such offendours, by indenture to be made betwene the deliuerer & receiuer, ẏ is to say, ẏ the kiges officers of his lordship marcher or their deputies, where such offendours shall be attached and kept shal safely conduct & conuey the same offẽdour to the next lordship marcher towarde the shire where the same offendour shal happẽ to be outlawed or attaynted. And that the kinges officers of ẏ same lordship marcher or their deputies, or the lorde marcher of the same lordship marcher, or his officer or deputie shal receiue and safely kepe and cõuey the same offendour to the nexte lordship marcher. And so the kinges officers of euerye lordship marcher, or the lorde marcher of the same lordship, or his officers or deputies to receyue, conduit, and conuey safely suche offendour, from one lordship marcher to another lordship marcher, by endenture vnto the time that suche offender shalbe safely deliuered before the said Iusticers of Gayle deliuery vpon peyne of forfaiture

kapture by euery the kinges officers or lorde marcher, by whose defaute the same offender, shall ne may appeare before the same iustices, at theyr said sessions, there to abide the order of the kynges lawes. C. li. to be leuied of the lãdes, tenemẽtes, goods, & cattels of the same officer, or lorde to the kinges vse. And ẏ euery officer, lorde or other ꝑson, to whõ any certificat shalbe directed i forme abouesayd, shal at ẏ next sessiõs & Gayle deliuery, holdẽ next after ẏ attachement of such offender retorne the same certificat in due forme, what he or they haue done, vpõ the payne aforesaid, sauing to the offender, all exceptiõs, pleas & aduãtage, as hath bene vsed by the lawes of this realme. And if any persõ outlawed or attaited by force of this act do finde sufficiẽt suerty before the iusticers of Gayle deliuerie, such as they shal thinke cõuenient, ẏ he frõ hẽceforth shal not cõmit or do any felony or murder, nor be accessori to any felony or murder, but at al times shalbe of good behauoure against ẏ kyng, his heyres & successours, & their lawes & subiectes, that then the Iustices of Gayle deliuerye, by consent of the lorde Presidẽt, & two of the kynges cõmissioners or coũcel of the marches, or iii. of them at the least, wherof the lorde ꝑsident, or one of the counsel to be one, shall by their discretion for one time onelye admit suche offender to a fine, or certayne summe to be payd by thẽ to be assessed to the kynges vse, shall haue power to discharge any suche offẽder so arrayned, conuicted, or attaynted of al such felony, and mur-

der, and accessorye to the same, and executions deathes, so ẏ he stand not appeled of the same at the time of his saide discharge. Prouided ẏ this act shal not abridge the liberte of the saide lorde marcher, vnlesse the sayde offender happē to be indited, arrained, outlawed, attainted or conuicted within .ii. yeres next after such murder or felony doone within the saide lordship marcher. Also felonies, murders, and accessories, in the shire of Mereonith i wales, shalbe frō henceforth enquired, heard & determined in the coūties of Carneruā, or Angleley, before ẏ Iustices of Northwales, or theyr deputies of enquest to be takē by the inhabitauntes of the same shires, otherwyse, if by discrecion of the Iustices, or theyr deputies it shalbe thought conuenient, where diuers felonies, and murders haue be done withi ẏ lordships of wales, and without the same, the offenders diuers tymes flee frō the same place where suche office is done in an other lordshyp marcher, and there do abyde, by reason whereof they be vnpunished. And therfore it is enacted, that euery officer & their deputies, vpon commaundemēt giuē bi the cōmissioners or counsaile of the marches, shall bringe, sende or deliuer euery suche offender to the officer of the lordshyp marcher or other place where any suche offence is done vpon the metes & boundes of ẏ same lordships or to the saide commissioners or counsayle according as the officers shalbe commaūded vnder payne of forty pounde, the same commaundement or commission, to be directed to any of-

fcer

ter, to be sente and delyuered by a seriaunt of armes, or Purseuaunt, attendaunt vpon the said coũcel in the marches, for the tyme being. An.xxv.H.viii.cap.vi.

It is enacted that if any ꝑson dwellinge in wales, or in the marches of thesame, vpon any purpensed malice, presume to assaute, beate, mayme or wound, any of the kinges subiectes of the coũties of Glocestre, Salop, & Herforde, then they so attaynted, being endited and conuicte thereof, shall suffre imprisonment by one whole yere without redẽption, in such prisõ as to the Justices before whom they be conuicte shalbe thought conuenient, with suche further payne as they should haue had if this acte had reuer ben made. An.xxvi.H.viii.cap.ix.

It is enacted that euery person Win orders of deacon or aboue being conuicte of any petye treason, or of murder, of malice purpensed, or robbyng of any church, chapell, or other holye place or for robbing of any persõ in their dwelling houses (the owner or dweller thereof, his wyfe or children, or seruauntes thẽ beinge put in feare by thesame) or for robbing anye person in or nere about the highe way, or for brenning of any dwelling houses or barnes wherein any corne should happẽ to be, or found gilty of any abetmẽt, coũsayling, helping or maynteyninge of or to any suche felonies, or pety treasons abouesayd, before any lorde, steward, lieftenaũt deputie, or other Justice, or officer within wales or other place or dominion, where as Justicers of peace be, & therupon admitted to his

clergy then the ſame perſon ſo beynge wythin ſuch holy orders, & deliuered to the ordinarie, ſhal or may fynde .ii. ſuerties by recognisaunce for his good abering before .ii. of ẏ kinges Iuſtices of peace (wherof one to be of the quorũ) in the ſhire where the ſame conuict is kepte, in the ordinaryes pryſon, if the ſame perſon be within that Shire or grounde where Iuſtyces of peace and Quorum be, or els before two of the kynges Iuſtyces of peace (whereof one to be of the Quorum) in the nexte ſhire adioynynge to the ſame pryſon. And that the ſame two Iuſtyces (wherof one to be of the Quorũ) to haue power to take ſuch recognisaunce, and to certifie the ſame in lyke maner & vpon lyke peyne of a.C.s. as it ſhoulde haue be done by vertue of the former act made the xxiiii. yere of king. H. viii. In. 26. H. viii. Cap. xii.

It is enacted ẏ the lord chaūceller, or keper of the great ſeale for the tyme beyng, ſhal from tyme to tyme nominate and appoynte Iuſtyces of peace, & of ẏ Quorũ, & Iuſtices of gaole delyuery in the cõũties of Cheſter, Flint, Ingleſey, Carneruan, Merreoneth, Cardigan, Kayermerthē, Denbroke, & Glamorgā, by cõmiſſion vnder the great ſeale, which ſhall haue auctorite to enquire, heare & determine al thinges enquirable & preſētable, and determinable before Iuſtices of peace, & of Quorũ, & Gayle deliuerye, in other ſhires of Englād, before of any ſtatutes made or to be made, or by courſe of the comon lawe. And ſhall do, vſe, & execute euerye thynge, as other Iuſtyces of peace, of

Quo-

Quorū, and gayle delyuere haue in any other shire within this realme, & shalbe swoꝛne and bounde to the keppynge of the sessions, & to the due executiō of al statutes made, & to be made vnder like paynes, as other Justices of peace Quorū, & Gayle delyuery, in other shires, be oꝛ shalbe bound, & shal make their estreates, and certyfye them into the Escheker therefoꝛe appoynted as other Justices vse to do in the escheker of this Realme, & they & their clerkes of the peace shalbe alowed of the fines, issues and amerciamentes such lyke fees, and pꝛofits as other Justices of peace, & clerkes of peace haue in other shires, within this realme. An. xxvii. H. viii. Cap. v.

Also it is enacted ꝑ it shalbe lawful to al the kinges subiectes, & al other persons beynge in amytie wt the king, freely, quietly, & in peace to passe & repasse, trauel, & go into, and thꝛoughe the foꝛestes in wales, both on hoꝛsbacke and on fote, aswell folowinge, & dꝛyuynge of cattel as with cariage of wares oꝛ otherwyse about their busynes without anye fine, foꝛfayte, tole tollome, exaction, oꝛ other impositiō to be taken oꝛ demaūded by the foꝛesters, rulers, walker, ferner, oꝛ their assignes, and if it happen any of the saide foꝛesters, rulers, woꝛkers, farmers oꝛ their assignes, oꝛ anye of them to take anye person beynge the kynges subiecte oꝛ of amyte with the king, oꝛ his heyꝛes and successours kinges of England, and take of them, oꝛ of any of thē any foꝛfayture, fine, tolle, custome oꝛ exaction aboue mencioned, & therof be con-

uict, then he or they so offending, to be & stand in the daūger of the statute, Prouided for robberyes by the kinges highe wayes, & the same to be tried before the Iustices of peace in the next shire adioyning, according to the lawes of this realm & fines aboue specified in & statute to make fyne at the will of the forresters, rulers, walkers, kermers or their assygnes, or to haue al the money or golde in his purse, or to lose a ioint. An. xxvii. H. viii. Cap. vii.

It is enacted that no maners, landes, or tenemētes, or other hereditamētes, shall passe all or change from one to another, wherby anye estate of inheritaunce or frehold shalbe made, or take effect in any person, or any vse thereof to be made by reasō onely of any bargayne or sale thereof, except that the same bargaine & sale be made by writing indented, & sealed, and enrolled in one of the kynges courtes of recorde, at westminster, or els within the same countyes where the maners & hereditaments so bargained & solde, lie before the Custos rotulo, & ii. Iustices of the peace, & the clerke of the peace of the same cōtie, or. ii. of thē at & least whereof the clerke of the peace to be one, & the same enrolement to be made within. vi. monethes next aft the date of the same writing endented, the same Iustices, and the clerke takinge therfore. ii. s. that is eyther of them. xii. d. if the lāde in the same writig excede not to the yerely value of. xl. s. And if the lande excede the yerely value of foure shillings, thē the Iusticers & & clerke and euery of them to take two shillings

and

and fyue pens for the enrollyng therof, and the clerke shall sufficiently enrolle in parchement the same dedes, or writinges indented. And at the ende of euerye yere shall delyuer vnto the Custos rotulorum, to remayne in the custodye of Custos rotulorū, among the other recordes of the countye that the partye that hath to do therwith, may resort and see the tenour of euery such writing. Prouided that it shal not extende to townes corporate, where the mayours or officers haue auctorite to enrolle anye endented. An. xxvii. H. viii. Cap. xvi.

It is enacted that yf any seruaunt beyng in the seruice of any pson happē to steale or feionously take away any goods or cattels of hys maister or mystres, or if any seruant to whome any casket, goodes, or cattels shalbe deliuered vnto by his maister or mistres, or by any other persō to their vse withdrawe hi self frō his said mayster or mistres, & go away with the sayde goods or cattels, or any part thereof contrarye to the trust to him put, or els beynge in seruice of his maister or mystres, without assent of his mayster or mistres, he imbesel the same goods or cattels, or anye parte thereof, or otherwyse cōuert the same to his owne vse with like purpose to steale it, if anye suche goods or cattels be to the value of. xl. s. or aboue, or yf the sayd goods or cattels that anye seruaunte after the deliuery of ỹ same shal go away with, or which he shal imbesell with purpose to steale, it being of the value of. xl s. and aboue, thē euery suche seruaunt that so doth steale or imbesell anye

goodes

goodes or cattels to him deliuered in fourme
before sayd, and be founde guilty thereof or of a-
ny parcel by the law, or by his confession vpon
his arayngment shalbe put from his clergie and
shal lose the priuilege of his sayntuary and bee
put to execution as yf he were no clerke. Anno
xxvii. Henrici. viii. Cap. xviii.

It is enacted ỹ euery the kinges subiectes
of Englande, Irelande, wales, & Caleis, & the
marches of the same, accordinge to the lawes &
ordinaunces of his church of England, & after
the vsage and custome of the paryshe or other
place where he dwelleth, shal pay his Tithes,
offerynges, and other duties of holy churche.
And for subtraction of any of them, the person
curate or other partye greued, may cõuent the
party so offendinge before his Ordinarie or o-
ther iudge hauing aucthorite to heare & deter-
mine the right of tithes & also cõpel the sayde
partie so offẽding, to do & yeld his sayd duty in
that behalfe, & if the ordinarie or other iudge
for any contempt, or misbehauour of the par-
defendant, make informacion or request to any
of the shire, where suche offender dwelleth to
assist & ayd the sayd ordinarie or other, Iudge
to reforme & order any such person in the cau-
ses before sayd, thẽ he of the kinges counsel, or
such two Iustices of peace (whereof one to be
of the Quorũ) to whom such informaciõ or re-
quest shall be so made, shall haue auctherite to
attache or cause to be attached ỹ saide person,
agaynst whome suche informacion or request
shalbe made, and to commyt the same person to

warde

warde, there to remayne without bayle or mayneprise tyl he haue founde sufficient suertye to be bound by recognysaunce or otherwyse before ỹ sayde counseler or iusticer of peace, or any other like counseller or Justicer of peace to the vse of the king, to giue due obedience to the pces procedinges, decrees, & sentences of the ecclesiasticall court of this realme where suche sate shall depende. Prouyded that the partye may sue his appeales, prohibicions & other remedies accordyng to the ecclesiastycall lawe, & the lawes of this realme. And this act to recouer any tythes shall take force and effect vntil such time as the kinges highnes & such other xxii. psons by him to be appointed for makyng of such lawes, as his highnes shal affirme and ratyfy, to be called ecclesiasticall lawes of hys church of England, & after the sayde lawes so ratyfied, & confirmed as is aforesayde, then the sayd tythes to be payed to euery ecclesiasticall person accordinge to suche lawes, and none otherwyse. In. xxvii. H. viii. Cap. xx.

It is enacted ỹ no pson shal labour or worke or cause to be laboured or wrought, in workes called streme workes, within the countyes of Deuon. & Cornewal, nygh to any fresh riuers or low places hauinge course to the hauens or portes of Plimouth, Dartmouth, Tinmouth, Falmouth, & Fowey, or to anye of thē, vnlesse the digger, owner, or washer, make or cause to be made suffycyente hatches, and tyes in the endes of their buddels and cordes, and therein lay and cause to be layde al stones and grauel

digged

digged about the ſerching, & watchinge, of the ſayd tyn, there to be ſurely kept, from the ſayd freſhe riuers or waters courſes vpon peyne to forfayt for euery time ỹ any ſuch owner, tinner digger, or labourer, ſhal dyg, or waſhe, or cauſe to be digged or waſhed any tyn cõtrary to the forme aforeſaid. xx. pound, halfe to the kyng, & the other halfe to the kinges ſubiectes that wil ſue therefore, by writ, byll, plainte, or informacion or otherwiſe, wherein no wager of lawe, protection nor eſſoine to be alowed. And if any perſon be endited or cõdempned vexed or troubled in his perſon, or in his tyn workes, goods or cattels by any miniſter of ỹ courte of ſtanerye or any other perſon for ſuinge anye ſuite according to this ſtatute, againſt any perſon that ſhal offẽde againſt this ſtatute, that thẽ al ſuch inditements cõdempnaciõs, actions impriſonmentes, fines & amerciamentes, & euery other acte done in any of the ſayde courts of ſtanery or els where, ſhalbe vtterly voyde, and the party ſo vexed, ſued or troubled, ſhall giue his action and remedy by this ſtatute, by writ, byll, playnt, informacion, or otherwyſe in any of the kinges courtes againſt al ſuch as ſhal procure or attempt to vexe or trouble any ſuche perſon for ſuyng of the forfayte aboue ſayd ſhall recouer treble damages, & the defendaunt ſhall not wage his law, nor eſſoyne nor protection to be alowed. And if it ſhal happen any perſon to be impriſoned for ſuing any ſuch ſute, vpon this ſtatute by any perſõ being miniſter of the ſtanery court, or by their deputies or ſubſtitutes

then

then euery of the sayde Justices of peace within the saide courtes wherin the prisoner shall happen to be in prisō, vpō credible informacion taking suerty by his discrecion for his appearaunce at the next generall Sessions, shal haue auctorite aswell to directe his warrant to the keper of the prison as to any other person to whome the prisoner shalbe cōmitted vnto, cōmaūdinge hī vpō payne of. xl. li. to put at large the said prisoner, whiche if he refuse so to doe, then euery suche offendour shall forfaite. xl. li. halfe to the kynge and the other halfe to hym that is greued by imprisonment, to be recouered in maner abouesayde, & no wager of lawe, essoyne ne protec ion to be alowed. And yf it shal appeare vpon the apperaunce of the prisoner, at the quarter sessions by examinacion of Justices of peace that he was imprisoned contrary to the forme of this statute, that then he shalbe forthwith dismissed. And if he were imprisoned for any other iuste cause, thē to be remaunded to prison by discretion of the sayde Justices. An. xxvii. H. viii. cap. xxiii.

¶ The fourme of the charge that Justicers of the peace shal giue at theyr Sessions.

SYrres you that be swoorne, call to remembraunce your othe and dutye to god and the kinge & the auauncement of Justice & punishement of misdoers for the common wealth, & cōseruacīō of the peace within this countye.

Here-

¶ Heretikes and Lollardes.

i. And first you shal enquire of Heretikes and Lollardes, keping any opinions cōtrary to the fayth of our lord Jesus Christ, & the doctrine of holi church, or els they preach, or īforme the people against the doctrine of holy church, and the fayth Catholique, & of those also that obserue not ẏ ceremonies of the churche, but maliciously dispise and condempne thē, as to eate flesh in lent, and not to obserue the holy daies, as other christian people do, or that despise the sacramentes of the churche, and of suche other which properly be called Lollardes. And you shall enquire of the maintenours, receiuours, fauourers, and vpholders, of suche heretikes, Lollardes, and writers of their bookes, and of their sermons, scholes, conuenticles and cōfederacies. An. ii. H. v. cap. vii.

¶ Churchyards.

ii. Also ye shal enquire of thē that kepe fayres or markets in churchyardes, or in other places dedicate to god, winch. cap. i. iiii. & xiii.

¶ Counterfayting of money.

treasoñ. iii. Also ye shall enquire of all suche treasons, wherof we haue auctoritie to enquire, as Justicers of the peace, as of counterfaytyng the coyne of the land, & the bringing of suche false money into this realme, and of clyppinge, washyng, and euery other falsefyeng of the sayde money. an. xix. Henrici. vii. cap. v.

treasoñ. 4. Also ye shal enquire of those that falselye, cōnterfayte the coyne of ~~their~~ other realmes, whiche are suffred to be currant within this realme by

by the kinges assent. An. xxii. H. viii. Capi. ix. in fine.

¶ Manasing to burne houses.

v. Also ye shal enquire of them, that make billes cōmaunding any persons in the same, to lay diuers greate sūmes of money in places, where suche malefactours may lightly cary thē away and be not taken, whiche summes if they lay not in the place assigned at the day &c. that thē they wyll burne theyr houses, or to do the most outragious vengeaunce, that they can, all such burninges of houses in this case shalbe adiudged high treasons. An. viii. H. vi. cap. vi.

There be also manye other kindes of treasons aswell high, as pety, as appeareth by the statute of An. xxvii. E. the, iii. Cap. iii. and the estatutes made in the. xxv. of H. the. viii. and xxvi. of H. the. viii. of the whiche, Justicers of the peace haue none auctorite to enquire. And therfore they be not written to be gyuen in charge here.

Murder.

vi. Thē the greatest offence next vnto treasō is murder, & therfore you shal enquire therof. Neuertheles ye shall vnderstād, that justicers of the peace haue none auctorite, to enquire of murder, as it is in his proper nature, but of māslaught, as a thig felonously done by chaūce medley, they may ēquire; for murder is not expressed ī the cōmissiō. But forasmuch as euery murdre cōteineth felony in it selfe, therfore yf a man be endited afore Justicers of the peace for the murder of another, whom he of malice prepensed

prepensed lienge in wayte did kyl suche a daye and yere &c. In this case the Justicers may arrayne him vpon the same inditement as for felony, but if the king haue pardoned suche a person of all felonies by acte of parliament or by his charter, now he shal not be arrayned therupō, because the kinge hath pardoned hym the Felonye. And before Justicers of the kynges benche, he shal not be arrayned vpō an inditement founde before Justicers of the peace of such murder, because they haue none auctorite to enquire of Murder. But if suche an inditemēt of Murder be taken Super visum corporis, though it so be, that the kynge by parliament or by his charter do pardon him all felonies and manslaughters, yet shall he be arrayned of murder vpon the same inditement before the Justicers of the kinges benche. And so appereth that diuersite betwene Murdre and manslaughter, of whiche the one commeth by malice prepensed and the other but by chaunce.

pardoned of all ffelonyes.

manslaughter commeth by chaunce.

murder is of malice prepensed.

¶ Rape.

vii. The most great offence next vnto murder semeth to be Rape, whiche is to rauishe a woman against her wyll, and therfore ye shall enquere of them, that rauishe any womā maried, mayde, or other woman, where she did not assent before; for, though she cōsente after the act done, yet is it felony. west. ii. ca. xxiiii.

felonye.

Takers of women against their wyll.

¶ Moreouer ye shall enquire of thē, that take any woman againste her wyll, whether she be mayde,

felonye.

mayde, wife, or widowe, al such takers, theyr procurours, abbettours, and receiuours therin, and knowyng therof, shalbe adiudged principal felons. An.4.H.7.cap.2.

¶ Robbery.

viii. Furthermore ye shal ẽquire of those, that robbe any person going or riding by the waye, or otherwise, and whether frelhe suit be made therupõ according to the statute of winchester, which willeth, that frõ toune to toune, frõ coũtrey to coũtrey suit shalbe made. And if ẏ coũtrey cã not answer for such misdoers, the pain shal be such, ẏ euery coũtrey. i. ẏ people dwelyng in the coũtrey shal answer for the hurtes, & robberies done, so ẏ al the hundred, where the robbery shalbe done, or the franchise within the hũdred shal answer for ẏ robbery. And if it be done in the deuisõ of. 2. hũdreds, both hũdreds together, or the fraũchise within thẽ shalbe aũswerable, & that within one half yere aft. And some bokes be within foure dayes next after the robbery done.

felony

The cõmissiõ of the peace geueth also auctority to ẏ iusticers of peace to ẽquire of al maner of felonies, which wer at ẏ cõmon law, & some thinges be made felonies by diuers estatutes.

¶ Felony.

ix. First of al ye shall enquire of those felonies whiche be at the cõmon law, as of those ẏ felonously take any goodes or cattels, to the value of. 12. d. & more, ẏ is felony. And if ani felonously take at any time any goodes to ẏ value of. 6. d. & as much at another time, now ẏ same two

together make the felony suche, that the taker shalbe hãged therfore. But if he felonously take goodes one time to ỹ value of .xi.d.ob. ỹ shall not be such felony, for which he shalbe hanged, but he shall haue payn, and correction, by dyscrecio of the iusticers (if he be indited therupõ for, it is called pety bribery. But if one robbe another of goodes, but to the value of a peny, he shalbe hanged

pety bribery.

¶ Burglary.

x. Also ye shall enquire of Burglaries. And Burglours are yperly such as felonously in ỹ time of peace breake any houle, church, walles, towers, or gates, for which the offendour shall be hãged, albeit that he cary nought away. But it behoueth, that he haue a felonous entent to rob, kil or to do some other felony.

¶ Voluntary Escapes.

xi. ye shall enquire also of gailours and other which haue in their keping any pſõs for felony & after willingly let thẽ at large at their liberty, this is a volũtary escape, & it is felony. But if one escape out of warde againste the will of such as haue thẽ in keping, thẽ it is but a negligẽt escape, & finable at the discrecio of ỹ iusticers.

voluntary escape.

negligent escape.

¶ Rescuing of felons.

xii. Also of those that rescue any felon frõ the sherife, gailour, or other officers, or person that hath taken one for felony, and hath hym in keping, he that taketh & rescueth the felon frõ the party, that hath taken such a felon & hath hym in keping, is a felon. And so it semeth that if one wil take & arreſt another for felony, & some

other

other pson wil not suffer the offēders to be takē or arested, but wil rescue hī: such rescous is felony by the cōmon law, though that the partye was neuer arrested. And likewise if one wyll breake the gaile, & let the felons in the prisō go at large, that is felony ī it self by the cōmō law. But in the prisoners it was neuer felony, vntil the statute de frangētibus prisonā was made.

breke pson.

¶ Taking of Doues and Pecockes.

effisse. 1.

xiii. Also of those, ẏ felonously take any Doues Pecockes, fish, being ī a Douehouse, pen, trōke or cesterne. And so is ẏ taking of a tame Deare knowing the same to be tame, otherwise it is of fish being in a stew.

¶ Accessories.

xiiii. Also of those, that be accessories to felons or murdrers, & of such, as pcure or coūsel any person to do felony or murther, if the person do thesame felony, thē is he, that pcured, abbetted, or counsailed thesame to be done, accessory to ẏ felony. And so after a murther or felony done, if another pson knowing the same felō or murtherer to haue done thesame felony or murther, do ayde, comfort, rescue, or lodge him, such a psō is accessory to ẏ same felony or murder. And specially those, that be receitours of felōs ought most of al to be punished. Forsomuch as ẏ same is a great occasion, wherby felons do daily encrease & multiply, and are put in great corage to cōmit such felonies by reasō of such receites when thei know, where to haue succour.

accessory afore ẏ dede done.

accessory after ẏ dede done.

¶ Felonies by estatute.

xv. Nowe must we charge you, to enquire of such felonies, as are made by diuers estatutes.

And of some of the I haue made rehearsal before, & geue ye in charge to ꝛquire of. And therfore ye shal enquire of them that take vpon the to be the kinges purueyours, takig beastes or other vitaile for ỳ kinges house without warrant, & cary such thinges away against the will of them, to whom thei belong, that is felony. Also their warrant ought to be vnder the kinges great seale. An. 4. E. 3. cap. 4.

purueyours.

¶ Purueyours for the king.

xvi. Also of those purueyours & biers ỳ take shepe before ỳ time of shering, except so many as may reasonably suffise vnto ỳ time of sherig & take afterwardes, so many shipe beig shorn as may suffise for ỳ time to come. And if any taker or bier do ỳ cõtrary, it is felony. an. 35. E. 3. c. 25.

xvii. Also of takers of cariages, & byers of vitailes for ỳ king & his houle, if they take more cariage or vitayle, the they haue deliuered to ỳ kynges house, & haue not payde for, that they haue taken, that is felony, and extẽdeth aswell against Purueyours for ỳ kinges gret horses, as other takers & biers of vitailes. a. 36. E. 3. c. 4.

¶ Purueyours of Lordes and Ladies.

xviii. Also those that be purueyours for other Lordes or Ladies for vitaile, cartage, or other thinges, which make prises against the wyll of them that owe such thinges, for they must bye suche thinges wherof they haue nede, of those that will sell the same thinges willingly. And therfore must thei pay ready mony in hand as they can agree. And if they do other wise, it is felony. An. 39. E. 3. cap. 6. 7. R. 2. cap. 8.

Purueyours

¶ Purueyours for the kinges houshold seruauntes.

xix. Also where it is ordeined ẏ none of ẏ kīgs house haue any purueiour or foregoer to make purueiāce, or to take ought for any of the said house, but ẏ thei shal bie that, ẏ them nedeth of those that wil sel ẏ same of their own good wil & to pay therfore in hād as thei cā agree, if thei do otherwise it is felony. 36. E. 3. Cap. 4.

¶ Kepers of prisons.

xx. Also of keps of prisōs, & vnderkeps which by duresse & paī cōpel ani prisoner ī their kepig to become an appecher agaīst their wil, ẏ is felony. 14. E. 3. ca. 10

¶ Stealing of haukes.

xxi. Also ye shal enquire of thē ẏ haue foūden any Faucō, Tercelet, Laneret, Tuffor or other hauke lost by his master, & hath not brought ẏ same to the sheriffe to make ꝓclamaciō in al ẏ good tounes of the shire that he hath suche an hauke in his keping so ẏ it may be knowen to the owner or to his falconers. For it is ordayned that if any steale an hauke, & cary it awaye not doīg as afore is said, it shalbe done ꝟ him as with a felō. A. 37. E. 3. c. 19.

Multipliers.

xxii. Also of thē ẏ vse & multiply gold or siluer, or that practise the art of Multiplication for that is felony. An. 2. H. 4. Cap. 4.

¶ Cutting of tongues.

xxiii. Also of thē ẏ purposely & of prepensed malice cut the tonges, or do out the eyes of any the kinges subiectes, ẏ is felony. An. 5. H. 4. c. 5.

¶ Galy halfpens.

xxiiii. Also those ẏ coyne, make, bye, or bring

into the realm ant galyhalfpēs, ſulkins or dod-
kins for to ſel & geue in paimēt within this lād
that is felony. 3. H. 5. c. 2. ¶ Maſons.

xxv. Alſo where by the yerely cōgregations &
cōfederacies made by Maſons in their general
chapters, & metinges, the effect of the eſtatute
of laborers is brokē, it is ordeined that yf any
ſuch be made, thei ỹ be ỹ aſſēblers or gatherers
of ſuch chapters & cōgregations, are & ſhall be
adiudged felōs, & the other Maſons that come
to thē ſhalbe puniſhed by impriſonment, fine, &
raunſom at the kings pleaſure. An. 3. H. 6. ca. 1.

¶ Imbeſilment of recordes.

xxvi. Alſo of thoſe ỹ imbeſill, take away, cō-
uey or willingly auoide any record, or parcel of
writ, returne, panel, proceſſe, or warrant of at-
turney in the kings courtes, that is to wete in
the chaūcery, Eſcheker, Treſory, or in any of ỹ
benches, whereby any iudgement is reuerſed,
that is felony. Alſo ye ſhal enquire of their pro
curatours, cōſtellors, and abbettours, for they
be felons, & acceſſories therto. An. 8. H. 6. c. 12.

¶ Souldiours.

xxvii. Alſo of ſouldiours which haue receiued
their wages or parcel therof by their capteines
and haue muſtred, & their names entred, which
depart from their captain within their terme,
without ſickenes or other impediment, whiche
thei ought to certify forthwith to their captain
& repay him their wages, ſo that he may pro-
uide himſelf of other ſouldiours in their ſtede, that
is felony if they departe any other maner from
their captain. An. 8. H. 6. Cap. vltimo.

wolles

¶ Wolles.

xxviii. Also of thē ye cary or cause to be caried anye wolles, or wolfels customable, out of the realm at any other place, thē at Cales without ye kinges licēce, for ye is felony. An.18.H.6.c.15.

¶ Hunters.

xxix. Also of thē, that hūt by night with visers or painted faces, or otherwise be disguised in parkes, forestes, or chases, if thei color ye same whē thei be examined by iusticers of ye peace or wil not tell of anye pson, ye was in their cōpany ye is feloni. And ye shal ēquire farther of such as haue made rescous against any psons, to whom the iusticers of the peace directed their warrāt to take such misdoers to be examined of suche maner of hūting, for ye is feloni. An.1.H.7.ca.8.

¶ Breakers of prison.

xxx. Also of thē, that be in prison for felony or suspeccion of felony, and after breake the prison for, that is felony.

¶ Blankes.

xxxi. Also of thē that pay or receiue for paimēt of money within this realm called Blākes, for, that is felonye. An.2.H.6.cap.9.

¶ Seruauntes.

xxxii. Also of seruauntes passing the age of.18. yeres being no apprētices to whō any caskets iewels, goodes, or catels be deliuered by their masters to kepe, whiche absent thēselues from their said masters, and go away with the same goods or any part of thē, to ye intente to steale ye same, or to defraude their said masters therof, or els being in seruice, do imbessl ye same goods

goodes deliuered to seruaunte to be kept.

without the assent or cõmaũdemẽt of their said masters, or cõuert them to their own vse with like purpose of stealing, so that the said goodes excede the value of .xl.s. & aboue, that is felony in which case ẏ pty shalbe put out of his clergy. An. 21. H. 3. ca. 8.

¶ Clarkes conuict.

xxxiii. Also of clarkes cõuict of felony being in ẏ prison of any ordinary, that wilfully breake and escape out of prison, euery such breche and escape is felony, in which thei shal lese their clergy. An. 23. H. 8. Cap. 1.

¶ Horses.

xxxiiii. Also of those, that sel, exchãge or deliuer within the realm of Scotlãd or in ẏ groũd called the batable ground betwene England & Scotlãd to ẏ vse of any Scot, any horses, geldinges or mares, without the kings licẽce had vnder his gret seale, or that shal exchãge or deliuer in Englãd, wales, or Berwike any horse, gelding, or mare to any Scot to be cõueied into Scotland without the kinges licẽce vnder his great seale; for that is felony. An. 3. H. 8. ca. 16.

¶ Buggory.

xxxv. Also of the, ẏ cõmit the most abhominable vice of buggory, that is felony, i which case the party shal lese his clergy. An. 25. H. 8. ca. 6.

¶ Foresters.

xxxvi. Also of Foresters & other psõs i wales & in the marches therof, which take of ẏ kinges subiectes or any of the kings amity passing repassing throuh ẏ forestes there, any tol, custom, exaccio, or other impositio for their passages, or cariages, for ẏ is felony. An. 27. H. 8. Cap. 7.

Saintuary

¶ Saintuary men.

xxvii. Also of saintuary psōs for felony, which depart out of ỹ places (where thei lodge) at any time, and haue not vpon their vpper garment a badge or conusance assigned by ỹ gouernor of thesame saintuary, of the lēgth & breth of.x. inches, or if thei weare any knife, dagger, or other weapon, at any time, but at their meales, or if thei be out of their lodgigs aft ỹ sūne set, & before ỹ sū rising, at.3. seueral times, & be takē out of their house or lodginge, ỹ is felony. An.28. H.8.cap.19.

¶ Extorcions.

xxviii. The greatest office next vnto felony, as it semeth, is extorcion done by sherifes & other officers, which be sworne to execute theyr offices duely. For so oft as thei do execution, so oftē thei cōmit periury, which is a grieuous offence vnto god. And extorciō is nothig els but spoil & robbery done by colour of office, which is as great losse & office of ỹ same pson, to whō it is done, as is the stealinge of anye goodes or catels from him. And therfore ye shal enquire of the extorciōs of sherifes, because thei be ỹ chief ministers of our court for the administraciō of iustice, & whether thei execute ỹ duely or not.

Loke more of ordinaries in the charge in the.43. articles of Escape.

¶ Escapes.

xliii. Also ye shal ēquire of Escapes, as where one mā aresteth another for felony, & the party so being arested escape frō him negligently for the default of good kеping against the wil of ỹ keper, that is a negligent escape & finable at the discrecion

discrecio̅ of the iusticers. And so it is where one being in warde of the sherike, or of any gaolour for felony & escape frō the̅ against their willes for defaut of good keping, that is a necligent escape, and finable as before is saide.

negligēt escape.

Also ye shall enquire of negligent escapes of ordinaries, & that is where any prisoner beyng conuict of felony and in ward in the ordinaries prison, dooe escape out of the same without due purgacio̅ made, or where ỳ prisoner is a clarke attainted or conuict by his owne confession (in which cases he shall not make his purgacion) doth escape out of prison, or make his purgacio̅ yet that is an escape and the ordinary shal pay c.li. for the escape of euery such prisoner beig in his ward, for felony, & ỳ is by the cōmon law.

negligent escape of ordinaries

¶ Riottes.

xliiii. Also ye shal enquire of al riots, & vnlawful assēbles of people to an euil intēt, in which cale if thei do ought contrary to the lawe after their assemble, it is called a riot, and if they doe nothing but assemble and depart vpon the same without farther doynge, that is called a riot, or an vnlawfull assemble.

¶ Forcible entre.

xlv. Also enquire of forcible entres made into anye landes or tenementes, or rentes, bee it by wrōg or right, for though a man haue right to entre into lāds yet may he not enter with force but he shalbe punished therfore by inditement at ỳ kinges suit, but not at ỳ suit of the partye by accion. And if one entre peasiblie, and holde himself in with force he shalbe punished.

But

But one may distraine for rent with force, and may compel the tenāt to pay hym the rent with force. And that shalbe said an entre with force as appeareth. M. xx. H. vi.

¶ Forestallers and Regratours.

xlvi. Also ye shal enquire of Forstallers, & Regratours. And what persōs shalbe said forstallours, it appeareth by the olde statutes thereof made. And forstallers be properly suche as bye wares, Marchaundises and such other salable thinges, as they be comming vnto markets or faires, before that thei be brought thyther to be sold, and such also as come vnto straunge marchantes, & enfourme thē that thei can sell their marchaundises for thē, at more high price, then thei themselfe can sel thē, & therupon doe bye of thē their marchaundise to thentente to sell the same again the more deare. And Regratours be properly such psons as haue corne, graines, and other thinges sufficient for their own sustināce or profite, and do neuertheless engrosse & bye vp into their owne handes more corne or other thinges, to sell thesame again at more high and deare prises in faires, markets or other where, for by such particuler persons, the prises of vitailes, corn and other cōmodities of the realm be inhaunced vnto the damage, impouerishmēt of the kinges subiectes. And these be properlie Regratours, whiche bye vitayl, corne, or other things, to ẏ entent to sel ẏ same again at a greter price, be it in fayre, market, or other place whatsoeuer it be.

forstallers.

Regrator.

¶ Retayning and geuing of liuerys.

xlvi.

Retayners.

xlvi. Also ye shal enquire of reteinig, & geuing of liueries, & therfore ye must know that none ought to retaine any persons to be at his commaundement, or to be of his companye, by suit badge, othe, liuere, except only his household seruauntes or necessary officers, as bailifes, receiuers, & such like, & other psōs to be retained of his cōsel in either of the lawes, vpon paine to forfait for euery liuery geuē. c. s. & for euery reteiner. c. s. for euery moneth, & ỹ iusticers of ỹ peace vpon informaciō to thē made, shall heare & determine the same aswel by examinacion as otherwise. And thē informor shal haue his costes and half the forfait. An. 8. E. 4. Cap. 7.

Maintenours, cōfederatours, & chāperters.

xlvii. Also ye shal equire of maintenours, cōfederatours, cōspiratours, embraceours, & vndertakers of quarels, matters, or other busines, & of chāpertours. And if iusticers of assise may heare & determine that aswel at the suite of the party as at ỹ kinges suite. And by that statute if the maintenours be conuict, thei shal forfayt to the king as much as they may, and a champertour x. times as much as he hath receiued, for bi such maintenaunce, confederacies, and champertye all good iustice is exiled and banished and periury and falshed holdeth place and ruleth al.

¶ Hue and crye.

xlvi. Also ye shal enquire of thē that kepe not the statute of winchester, ỹ is to wete, of them ỹ immediatly after robberies or felonies done and after knowlage, hue, and crye therof made, do not make freshe suit fro towne to towne or fro

fro contrey to countrey, & fro hūdred to hundred, and fro county to county, and the pain of suche as make defaut therin is to answere for the robbery, if that the felon be not taken.

watche.

Also if watche be kept in euery citie, towne & borough, frō the sūne setting vnto ỹ sūne rising, & if the gates of cities be closed by al that time, & sixe mē to be at euery gate, and in euery borough the watch shalbe kept by twelue men & in euery other town by sixe or foure men.

lodginge in suburbes.

Also if any person lodge in the suburbes, or vtter part of any towne, aboue one day time, except that the host will aunswer for him.

Bayliffe.

Also if ỹ baillifes make their inquestes euery weke or .xv. day at the least, to enquire if any lodge or receiue suspect persons.

Lyght waies.

Also if high waies be enlarged and clensed, from wood, and vnderwood by the space of .cc. fote on euery side. For if ani robbery chance to be doone for defaute of clensing, or kepyng the waies, he that ought to haue done it, shalbe answerable therfore, & for murther he shall make fine at the kinges pleasure.

Armoure.

I. Also if euery person haue his armour, accordig as he ought to haue, that is to wete, euerye person betwixt .xv. yeres of age, and .xl. hauing lādes to ỹ yerely value of .xv.li, or goodes to ỹ value of .xv. markes an hawberke, a brestplate of pzō, a sweord & a knife, and frō .xx.li. ī lāds, & xx. marks in goods one habergeō & brestplate of pzō & a knife. And frō .xl.s. in lādes & more vnto an .c. a sweord, bow & arowes, & a knife, & thei that haue lesse lādes, shalbe sworne to haue

theyr

their fauchons, splentes, kniues, & other small weapons. And al other that are able, shal haue bowes & arowes, & in forestes bowes & byls.

Constables.

Also if there be .ii. constables chosen in euery hundreth & fraunchise, which shall make view of harneis euery yere two times, and whether thei haue prepēsed to the iusticers of Assise, and of gayle deliuerye, the default of armour, high wayes, suites of townes, suites of sheriffes, & bailifes of fraunchises, and besides that, if they haue folowed hue & cry. Statuta winchester.

¶ Vitaylers.

li. Also ye shal enquire of vitaylers, if they sel their vitailes at reasonable prices, and for reasonable gaines, according to such limitaciō, as the iusticers of the peace haue assessed vpō the same. And though the iusticers of the peace doe make no limitacion, yet ought they to sel their vitaile at a reasonable price, vpon pain to forfait the double of that, ẏ thei shal require. An. xxiii. E. iii. Cap. vi. And by the estatute made. An. ii. iii. H. viii. cap. iiii. The iusticers of peace shal assesse the price of beere & ale out of cities and boroughes, & within cities & boroughes ẏ Maiers & their officers &c. An. 13. R. 2. Cap. 8.

¶ Inholders.

li. Also ye shal ēquire of Inholders, that make horsebread within their owne houses, or other where, and whether they sel bread and otes at a reasonable price, so that they take no more gaynes for selling of euery bushel thē a halfpeny aboue the cōmō price in the market. And ẏ Inholder, that doeth contrary therunto, shall forfayt

forfait the treble value of ỹ bread by him made in his house or otherwhere, & foure times the value of that, that he hath take of euery bushel of otes, more then a halfpeny aboue the cõmon price in the market as wel at the suit of the king as of the party. An. 13. R. 2. cap. 8.

For setting prices of vitailes is prouided by the statute of H. 8. an. 25. Ca. 2. to be made & set by the Lord chaunceller and fiue other of the kynges counsayle named in the statute.

¶ Wages of seruauntes.

This is repealed 2°. 5°. Elizabeth cap. 4.

lii. Also ye shal enquire of seruauntes, and labourers, if they doe their dutie taking of wages, as Bailifes of husbãdry which shal take. xx. s. viii. d. by the yere & v. s. for his liuere, & the chiefe hide. xx. s. & v. s. for his liuere, & the chiefe Shepeherde, in like maner, & an other seruaũt xvi. s. viii. d. & iiii. for his liuery & euery female seruaũt. x. s. for wages and. iiii. s. for her liuery And euery enfãte vnder ỹ age of. xiiii. yeres, shall not take aboue. vi. s. & viii. d. for wages & iiii. s. for his liuerie. And other Artificers, as Maiõs, Tilers and such like. vi. d. by the days betwixte Ester & Mighelmas, & after the time iiii. d. by the day without meate & drike & they shall not departe before the worke be finished without licence, vpon peyne of one monethes imprisonment and. xx. s. for a fine. And euery other comõ labourer, shal take. iiii. d. by ỹ days from Ester to Mighelmas, and from Myghelmas vnto Ester. iiii. d. by the day Wout meate & drinke, the time of harueſt except. And in that time euery mowier shal take. vi. d. by ỹ day, &

euery

euery reper. v.d. without meate & drinke. And a woman labourer, and an other labourer. 4.d. without meat and drinke, and with meate and drike. 2. d. ob, & for half daies thei shal not take wages, but aft the rate of half a day & for festiual daies they shal take nothinge. And he that refuseth to serue, shalbe cõmitted to warde by ỹ constables, or other headofficers at ỹ cõplaint of any that would haue his seruice, vntyll he find suerty to serue, & euery seruant shal forfait 20. s. for euery default done by him cõtrary to this estatute, & from the middes of march vnto ỹ middes of septẽber, thei shalbe at their worke frõ fiue of the clocke in the morning, vntil. 7. i the euening, & frõ mid septẽber to myd march, thei shal be at their worke frõ the daye spryng in the morning, vnto night, & thei shal not slepe in the day time, but frõ the middes of May vnto the middes of August, & shall haue an houre & an half for their diner whẽ they slepe, & halfe an houre for their none meat, & whẽ thei do not slepe, then but one houre for their diner. And if ani assault their ouerseer, he shal haue a yeares imprisonment without baile, & their defaultes must be marked & abated in their wages euery weke accordinge to the rate. an. 7. H. 8. Cap. 5.

Unlawfull games.

xiii. Also ye shall enquire of them, that vse vnlawfull games, as tenes, dise, cardes, & other such plaies, & i like maner ye shal ẽquire of thẽ that suffer any to play in their houses at suche games &c. And by ỹ estatute made. An. 17. E. 4. thei that play at kailes, half bowles, hande in hand,

hand out, quyckebrode, & Clashe, in any house or gardeyne, shall forfayt.x.li. & he þ̄ sufferyth any to playe in his house, or gardeyne at such games, shall forfayte other.x.li. the moytie wherof shalbe to him that wyll sue therfore.

¶ Crosbowes and handgonnes.

xliii. Also ye shal enquire of thē that kepe any crosbowe, or handgon in their houses or shote in thē, whi the may not dispend an.C.li. of landes, tenemētes, rentes or fees, by the yere, and it is lawful for euery mā to lease thē, & he that offendeth, shall forfayt for euery time.x.li.

¶ Dogges, ferrettes and other engins.

xlv. Also ye shal enquire of thē that kepe dogges or greyhoundes to hunt, or vse ferrets hayes, nets, hare pipes, cordes, or other engins for to take wylde hares, or conies, or other pleasures of gentilmen, which may not dispēd xl.s. of free holde by the yere, & if he be a person spirituall, him behoueth to dispende.x.li. by yere & the payne is one yere imprisonment.

¶ Were hayes, and Buckstalles.

xlvi. Also ye shal enquire of such as haue no parkes, whiche kepe anye deare hayes, or Buckstalles, or cause any man to stalke anye deare without licence of the owner, or mayster of the game, or of the parke, vnlesse it be within his owne landes, the peyne wherof is.x.li. And officers of the peace may examine that & haue the tenth part of the forfayt, & euery one that wyl sue may.

¶ Traysyng of hares.

xlvii. Also ye shal enquire of thē that trace and

folowe hares in the Snow, and kyll them, the fyne for euery hare is a noble.

¶ Procurers of inditementes.

Also ye shal enquire of thē that procure men of holy church to be indited for suyng in courtes spirituall for thinges, that belonge to the Jurisdictiō of thē, so that they be acquited all of the same inditementes before iusticers of the peace, or before other iusticers, in whiche case they, that procured suche inditementes, and the inditours also shall haue the same penaunce, y they, whiche procure false appeales by the statute of westminster. ii. whiche is one yeres imprisonment, and damages by discrecion of the Justicers.

¶ Frye of Samons.

Lviii. Also ye shal ēquire of thē that with nets or other engis take or distroy Samōs broode frō the middes of Aprel, vnto the Natiuite of saynt John Baptist, at myl dammes or other where, vpon paine at the firste tyme to haue theyr nettes & engins burnt, & at the seconde time imprisonment for the space of one quarter of a yere, and at the thirde time an whole yere. And if any put into any riuer any nets called Stalkers, or other engin, by which the broode or fry maye be taken, they shall haue the same payne, and they that offende shalbe imprisoned and make fine by discrecion of the Justicers. an. xviii. Ri. ii. cap. i.

¶ Nettes of tronkes to take fyshe.

lix. Also ye shal enquire of thē that make standynges for nettes called tronkes, or of other nettes,

nettes, & fasten & lay thē continually ye night & daye by a certayne tyme of the yere to postes, botes or ankers, ouerthwarte ryuers, they shall forfayte. &c. for euerye tyme that they shall so do. an. ii. H. vi. cap. vii. tmo.

¶ Watches vpon the sea coaste.

ii. Also ye shal enquire if the watches be kept on the sea coaste, in lyke maner as tofore hathe ben vsed, and that the statute of wynchester be obserued in that case.

¶ Arrowes heddes.

iii. Also ye shall enquire if the heades of arrowes and quarelles be boyled, brased, and hardened at the poynt, and yf they be marked with the marke of him that made them. Also ye shall enquire of false markers of thē, whose payne shalbe to make fine at the kynges pleasure, and to forfayte al theyr arowheades, and to haue imprisonment.

¶ Common weyghtes and measures.

iii. Also ye shal enquire of cōmon weightes, & measures. And by the estatutes made. an. 8. H. vi. euery citie, borough, & towne, ought to haue a cōmō balance with weyghtes according & a cōmō measure, vpō a certaine paine limitted there. And none vse weyght, measure, nor other thinge in steade of weyght, or measure which is not sealed according to the standard nor put ought to the balaunce, that maye doe any disceyte, &c. vpon payne to forfayte the goodes waged, or measured, and foure folde damages to the partye, and to haue two yeres imprisonmente, and to make fyne and

raũsome at the kynges wyll. And by an estat. made the.xi.yere of the same king, there ought to be in euery towne, a common bushell ensealed. And the Justices of the peace haue power to enquire of them that vse false bushels or measures, and to heare and determine that by examinacion, or otherwise, and ye muste enquire also of forgers and counterfaytours of halfe weyghtes which must be taken and imprisoned without bayle vntyll they haue made fine and raunsome by discretion of the Justicers.i.H.v.cap.viii.

Weyghtes & mesures must be in euery citye borough, & market towne, marked accordynge to the standerde, and no persõ bie nor sel in any place with any measures or weyghtes, except it be marked & egall wyth the standerde. And they ẏ do cõtrary, shal forfayte for the first defaute.vi.s.viii.d. & the secõd time.xiii.s.iiii.d. & the thyrde tyme.xx.s. and to be set vpon the pillory. And viii.bushels rated maketh ẏ quarter, & .xiiii.li. the stone, and. xvi. stone maketh the sacke. an.ii.Henrici vii.cap.iiii.

lxiii. Also ye shal enquire if the kynges purueiours be or take corne aft any other measure thẽ after. viii. bushels rated for the quarter, & euery bushel to contayne.viii.galons, & if they do otherwyse, thẽ to pay an C.s. to the partye and asmuch to the kinge, & to haue one yeres imprisonment for euery tyme so doynge. And Justicers of the peace haue power to holde place therupon at the sute of the partye greued. Anno.ii.Henrici.v.Capitulo primo.

purveyours.

And

And so ye shal enquire if they take any thynge to the value of.xl.s. or vnder making not redy payment therfore, in which case they shal paye damage vnto the party. And euery mā (in case he be required) must ayde the partye to make restorn against such purueyours, vpon payne to rendre the value of the thing taken, & double damages to the parti. An.ii.H.vi.cap.viii.

¶ Clothyers and clothe.

xliii. Also ye shal enquire of them that sel any whole clothes tacked or rolled in the counties of Somerset, Dorset, Wyltshire, or Glocester, which be wrought so, that the byers may se them, & if anye sel thē otherwise, they be forfayte. And the workers, weuers, and Fullers must put their marke to euerye clothe, vpon a payne to be ymitted by the Justycers of the peace. An.xiii.Ri.ii.Cap.xx.

Also clothemakers shall make no clothes wyrt with lamstwolle, flockes, or dorke, vpon peyne to forfait.xx.s. for euery cloth, the moyte to him that will sease thē. An.4.E.4.cap.i.

Nor none shal drawe any clothe in length, or breth aft that, that is wel wrought, vpō peyn of forfaiture, nor none shal put flockes, or like thynges vpon clothes, vpon peyne of forfeyte.s. nor shall put chalke vpon any whyte clothe or kersey, vpon lyke payne. i. Ed.iiii. And euerye Clothemaker must cause hys marke or sygne to be wouen in the same clothes, and to put his seale of lede vnto the same clothes, whych the seale shall declare the length of the clothe, And euerye clothe shall conteyne. viii. quarters

within the listes, vpon payne to forfayte.iii.s. iiii.d. for euery cloth lacking the same content. And that euery kersey shal conteyne one yarde within the listes, vpon payne to forfayte.xx.d. for euerye kersey that shall so fayle of the due length, that shall be specifyed in the seale set therupon. And the sellour shall forfaite the double value of so muche, as it lacketh, vnto the byer. And yf any clothmaker put any cloth to sale, before that it be sealed by the Aunegeour, and ordeyned and sealed by the maker therof in fourme afore lymitted, he shall forfayte his whole clothe, the moytye whereof shalbe to him, that wil sue therfore.

¶ Cordyners, Tanners, Coriers and Bouchers.

lxv. Also ye shal enquire of Cordyners which vse the crafte or mystery of Tanners, & lykewyse of Tanners that vse the art & mistery of Cordiners, and the cordiner shall forfayte for euerye lether tanned by him, or anye other to his vse.vi.s.viii.d. And the Tanner shall forfayte for euerye lether not sufficiently tanned vi.s.viii.d. And he that wyll sue shal haue the moytye and the Justicers shall heare and determyne that by examinacion or otherwyse at the suite of the partye or of the king. An.ii.H. vi.cap.vii.

And by an estatute made the.xiii.yere of R. the.ii.no shomaker, nor Cordyner shall vse the crafte of Tannour, nor no Tanner shall vse ẏ crafte of Cordyner, vpon payne to forfayte all the lether so tāned, and al the bootes & shooes

so

† this acte of.2.H. 6.cap.7.is repealed by.5.Elizab. cap.8.

so wrought, & to make fine at ỹ kings pleasure.

And by another estatute made the.xix.yere of Henry the.viii. Cap.xix. No Cordyner nor Shomaker, shal vse the crafte of a Cotier, nor no other person to his vse. Neyther shall anye Cotier vse the crafte of Cordiner or shomaker, vpon peyne to forfayte. vi.s. viii.d. for euery hyde so wrought, or tanned, the moytie whereof shalbe to him that findes the defaute, nor no Barker nor tanner shall put any lether to sale, before that the same be sufficiently serched vpon payne to forfayte. vi. s. viii.d. the moytye to him that fyrst shal finde it.

Also no person occupieng the occupacion of a Bocher shal kepe any tãhouse nor any other person to his vse, nor exercise the crafte of a tanner or bocher, vpon payne to forfayte. vi.s. viii.d. for euery daye that he occupieth. The one halfe to hym ỹ wyl sue. xxii. H. viii. ca. vi.

¶ Mayntenaunce.

lxvi. Also ye shall enquire of those persons which speke in abandishment, or mayntenaũce of seruauntes, artificers or labourers, whiche do contrary to the ordinaunces made against them, such shalbe punished greuously bi discrecion of the sayde Justicers.

¶ Barretours.

lxvii. Also ye shal enquire of Barretours, & misdoers, & al those which be not of good fame for Justicers of ỹ peace may imprisõ & punishe thẽ according to their discrecion, and cõpel thẽ to fynde suerty of their good behauour.

¶ Walshemen.

lxviii. Also ye shall enquire of walshemen, which take any of the kinges lyeges, & deteine them, vntil they haue made raunsome, whiche offence the Justicers of the peace shall heare & determine as felonye, & shall certifie it vnto the lordes of wales, where suche mysdoers be dwelling. ¶ Wesselles.

lxix. Also ye shal enquire of thē, whiche make or bryngе into the realme any tonnes of wyne not conteyninge .xii. score galons and .xii. & the pype halfe so much, and the tercian, the thyrde parte of the tonne, and the hoggeshed, halfe a pype. And he that doth contrary thereunto, shal forfayte his wyne. And in like case shall they be, whiche sel barels of herringes, or peles not conteining .xxx. galons fully packed, or buttes of Sāmon not conteyninge .xxiiii. galons fully packed, and euery kinderkin, tercian, & firkyn of herringes, Samō, & peles according to the rate. And he that doth contrarye, shall forfayte the herring, samon, & peles. viii. li. v. s. Ca. iii.

¶ Gylders.

lxx. Also ye shal enquire of thē, that gilde any shethes or other metalles, excepte the spurres of knightes, & ornamentes of holy church, and the apparel, of a baron, and aboue that estate. And he that dothe, shall forfayte ten tymes so muche, as the thing so gylded is worthe.

¶ Goldesmythes.

lxxi. Also ye shall enquire if any goldsmythe, or worker of syluer worke anye syluer that is not as fyne as the sterlynge, & if he put not a sygne thereunto, before that he put it to sale.

And

And yf he do the contrary, he shall forfayte the double value thereof. And Justycers of the peace shall heare and determine that by playnt or otherwyse, and shall do execution thereof by their discrecion. An. xi. H. vi. cap. vi.

¶ Common hosteries.

lxxii. Also ye shall enquire in the countye of Surrey, of them, that kepe comon hosteries, or tauerne, whiche haue dwelled at the stewes, for they shalbe punished by imprisonment, fine & ransome by discretiō of the Justicers of the peace for that offence. An. xi. H. vi. Ca. i.

¶ Waxe.

lxxiii. Also ye shal enquire of thē, that sel any candels, ymages, figures, or other workes of waxe at more highe price, thē. iii. d. aboue that, that the cōmon price of a pounde of waxe is betwene marchaunt & marchaunte at the tyme of the sale made. And the forfaite is the value of those thinges, that be solde, and those that be put to sale & to make fyne vnto the kinge. And that to be determined by examinacion, and by the serche of the countreye for waxe or otherwyse. An. xi. H. vi. cap. xii.

¶ Wardens of the marches.

lxxiiii. Also ye shal enquire of those wardens of the marches of Scotlād, which attache any person by his body or goodes, out of the counties of Cūberlād, Westmerlād, Northūberlād and Newcastel vpon Tyne. And the iustices of the peace shall procede vpon them as vpon inditementes of trespas. An. xxi. H. vi. cap. iii.

¶ Wolles and felles.

lxxv.

xxv. Also ye shal enquire of thē that cary any wolles felles, or fleces, morlinge or shorlynge, frō countreys on this syde the water of Tele beyonde the same wat toward the North, the payne is to forfayte thē. And he that findeth or proueth the defaute, shall haue one halfe of the wolles, felles, fleces, morlynge, or shorlynge. (Alderton shire, and Rychemonde shire onely excepted) anno. iii. Ed. iiii. cap. i.

And yf any cary or shyp any wolles, felles, fleces &c. to cary to anye other place thē to Caleys, they or the value of them be forfayte, and the offenders to haue two yeres imprisonment (the counties of Northūberland, Westmerlād Cumberland, Durhā, Alderton shire & Richemonde shyre onely excepted) the moytie to him that wyl proue and sease them.

And yf anye cary or shyppe wolles, felles, fleces, morling or shorling, of the growing of ỹ counties of Northūberlande, Westmerlande, Cūberland, Durhā, Aldertō shire & Richmōd shire, to cary to any other place, then to Newcastel, they be forfayt, the moytie whereof shall be to the inhabitante of newcastell, that wyll sease, to be employed to ỹ profite of the town.

¶ Tyle makers.

xxviii. Also ye shal enquire of tile makers if they dygge the grounde before the fyrst day of Nouēber, & if they turne ouer the same grounde agayne before the fyrst day of Febuary, then next ensuynge. Also they ought not to worke it before the fyrste daye of Marche then nexte ensuing. And the earth to be tried from stone,

malme

malme, merle, & chalke, & must be al throughly whyted and anneled, and must conteyne in length.x. inches, and an halfe, & in bredth.vi. inches & a quarter. And euery gutter tile must conteyne ten inches & an halfe in length wyth conuenient thicknes & bredth, and euerye crest tile.xiii.inches, & halfe an inche, & a quarter at ẏ least in thicknes. And he that selleth any tile contrary to this ordinaunce, shall forfayte the double value thereof to the byer of the same tyle, and to make fine and raunsome vnto the kinge. And the fine for euerye thousande tyle so made, shalbe.v. shillinges, and for euery hūdreth of rofe tyle.vi.s.viii.pens, and for euery hundred of gutter or corner tyle.ii.s.

plaine tiles.

gutture tile.

Ridge tile.

¶ Brasse and pewter.

lxxix. Also ye shal enquire, if any person vsing the craft of a pewterer, or braser, sel or change any pewter or brasse at anye place, but onely in opē market or fayre, or in their owne dwelling houses, but if he be desired by the byer, ẏ forfait therof is.x.li.for euery defaut.4.H.8.ca.7.

And if any person cast or worke any pewter vessel or brasse, that is not as good & fine metal as is wrought in London, and by the statute therof ought to be, the forfayt thereof is al the pewter and brasse, so caste and wrought, the halfe therof to the vse of the fynders.

Also yf any person make any holowe wares of pewter, as Saltes, or pottes, called lay metall, that is not after the assise of pewter, or lay metall wrought in London, or marke not the same with their owne markes, yf they be not sufficient=

ſuffycyently wrought and marked, they be forfayte, halfe to the finders or ſercherſ therof.

And if anye of them vſe any falſe beames or weyghtes, then they to forfayte .xx.s. and to be put into the ſtockes, tyl the next market daye and then to be ſet on the pillory at the market time. And the one halfe of the .xx.s. to him that wyll ſue.

¶ Boate men, and Barge men.

lxxiii. In the ſhires of Eſſex, Kent, Surrey, Middeſex thei ſhal ēquire of boteme, & bargemen, if they take for their paſſages, as is appointed and limitted by the ſtatutes. An. vii. H. viii. Cap. v.

¶ Dowdyke.

lxxiiii. In the cōtye of Northefolke and the fraunchiſes of Ely, they ſhall enquire of ſuche as breake the dyke called powdyke, the olde feildes dike. Anno. vicesimo ſecundo. H. octaui Capit. ii.

¶ Berebrewers or ale brewers.

lxxv. Alſo ye ſhall enquire, if anye Bere brewer, or ale brewer put their bere or ale to ſell in anye other barels, kilderkins, firkins or other veſſels of woode, then ſhalbe marked by the artyficers of the coupers, euerye barell to conteyne .xv. galons, the kilderkin. viii. the firkin. ix. galons of bere, and the firkin of ale but eyght galons, and to ſell of no higher price, the is limitted by the Juſtices of the peace, vpon payne for euery barel put to ſale. vi.s. viii.d. & euerye kylderkyn. iii.s. iiii.d. and euery firkyn ii.s. and leſſe veſſelles .xii. pens, and for euerye bigger

.Barrell.
.kilderkyn.
.ffirkyn.

bygger veſſel aboue a barrel.x. ſhillinges, the one halfe to hym that wyll ſue by dette. Anno xxiii.H.viii.cap.iiii.

¶ Vouchers.

lxxvi. Alſo ye ſhal enquire of Vouchers, that do not ſell beyfe, Porke, Mutton, & veale, by weyght, that is beyfe & porke, after, ob. pound weyght, and Mutton and Veale, after ob. & halfe a ferthynge the pounde, vpon payne of forfaytyng for euery poũd not ſold by weyght or aboue the pryce, and for euery defaute contrary to this act. iiii.s.iiii.d. The one halfe to hym that wyll ſue, and Juſtices of the peace haue power to ſet a lower price thẽ is limitted.

¶ Lynſede and hempſede.

lxxvii. Alſo ye ſhall enquire of ſuche pſons, as haue.ix.acres of errable lande, & paſture, or of one of thẽ apt for tillage, that do not ſow yerely one rode of lande with lineſede, or hempſede or with bothe, the payne is to forfait for euery ix.acres.iii.s.iiii.d. The Juſtices of peace may heare and determine it by informacion or by inditement. An.xxiiii.H.viii.cap.iii.

¶ Waynlinges or ponge beſtes.

lxxviii. Alſo ye ſhal enquire of ſuche perſons as kyll any waynlinges bullocke, ſteres or heifers vnder the age of two yeres, to make ſale therof, the forfaite is for euery beaſt ſo kylled vi.s.and eyght pens, half to hym that wyll ſue An.xiiii.Henrici.viii.capitulo.ix.

¶ Exceſſe of apparell.

lxxix. Alſo ye ſhall enquire of exceſſe of apparel, no ſeruing man takynge wages that maye not diſpẽd.xl.s.yerely ſhal weare any clothe in his

his house aboue. ii.s. the yard, & that none of their hose be garded or mixt with anye other thynge that maye be sene throughe the vtter parte, nor in his gowne nor cote aboue. iii.s. iiii.d. the brode yarde except his maysters liuerie, or any cony except graye conye, blacke lambe, nor shirte bande wrought oute of this Realme. No husbande man to weare in hys hose aboue the price of. ii.s. the yarde, nor any cloth in his gown aboue. iii.s. the yard nor his cote aboue. ii.s. viii.d. the brode yarde, nor in his doublet anye thinges made out of this realme. an. xxiiii. H. viii. cap. xiii.

No seruing mā in husbādry, nor Journey mā in handecraft weare in his hose any clothe aboue. xvi.d. the yarde, nor in his gowne aboue ii.s. viii.d. the yarde, nor in his doublet any other thinges thē Fusteā, Cāuas, or Lether, or wollē cloth, nor shall weare any maner of fur & thei that offend to forfaite the apparel. And iii.s. iiii.d. for a fine, therfore euery day that he weareth the same, & euery mā to sue therefore, and the halfe of the fine vnto the kynge.

¶ Pauing the strete in Southwarke.

lxxx. Also Justices of peace in the county of Surrey shall enquire of the paupnge of the strete in Southwarke, out of the libertye of London, and for the amending and repayrynge therof. an. xxv. H. viii. capitulo. viii.

¶ Wyldefowle.

lxxxi. Also ye shal enquire of such persōs, that betwyxt the last day of Maye, and the last day of August, take anye wyldefoule with nettes

or

or any other engins, the peyne is imprisonmēt by one yere, and for euery foule to forfayt. iiii. pens, the one halfe to hym that wyll sue therfore, but they may take with Spanyels, and longe bowes suche wyldefowle.

¶ Egges of wyldefoule.

Also yf any person distroy the egges of any wyldefoule, frō the nelte, ẏ peyne is imprisonment by one yere, & to forfaite for euery crane egge or Bustarde egge, so takē frō ẏ nest. xx. d. And for euery Bitter, herō, shouelarde. viii. d. and for euery other egge. i. d. the one halfe to hym that wyll sue. an. xxv. H. viii. cap. xi.

¶ Shepe aboue the nombre of .ii. M. lxxvii. Also ye shal enquire of such persons as kepe aboue the nombre of two thousand shepe of all kindes at one time. Lādes vnder the age of one yere, shal not be accōpted, nor suche men as haue executours, or administratours, or by mariage, so he sel thē within one yere, after the peyne for euery shepe aboue the nomber iii. s. iiii. d. to be enquired of by informacion or otherwyse. vi. score to the hundreth to be accompted, euery householde to haue aboue two M. as many shepe as shall serue for the necessarye expence of his householde. xxv. H. viii. Cap. xiii.

¶ Taking two fermes in one yere. lxxiii. Also of such ylōs as take in ferme anye houses wherunto any landes are belongyngē at wyl or otherwyse aboue ẏ nōbre of. ii. suche holdes in one towne or hālet, & of such persons as occupy two suche holdes in one towne or

hamlet

hamlet, and dwell not in the same parish, the forfayte is for euerye weeke that he so occupieth .iii.s. iiii.d. the halfe to him that wyl sue.

Clypping of money in wales.

lxxxiiii. Also Justices of the peace of the shire next adioyninge to the marches of wales shall enquire of, and for clyppynge, coynynge, or washyng of money, & felonies done in wales, and the marches next to them adioynynge, and to make proces therupon into wales and the marches therof, and to heare and determine the same. In. xxvi. Hen. viii. cap. vi.

Affrayes in wales and the marches.

lxxxv. Also the iusticers of peace in the cōtties of Herforde, Glocestre, and Soloppe, shall enquire of the assautes, mayhemes, and baterȳes, made to any of the inhabitantes of those cōtties by any persons dwellynge in wales or the marches therof, the paine therof is imprisonment by one whole yere without bayle or mainprise with suche further payne, as if this acte had neuer be made. Anno xxvi. Hen. viii. Cap. vi.

Tyn worke.

lxxxvi. Also Justices of peace in the Counties of Deuonshire, and Cornewayle shall enquire of such persons as labour, or worke or washe any Tyn, or anye Tin workes, called streame workes, nyghe to the fresh riuers and lowe places hauinge course to the hauens of Plimoth, dartmouth, Tinmouth, Talmouth, and Foway, or to any of them, whiche do not make sufficient hatches, & ties in the ende of their bundels and cordes, and therin laye all rubbet

rubbel & stones, there to be kepte frō the fresh riuers, the peine is to forfait .xx.li. halfe to hym, that wil sue. An.xxvii.H.viii.cap.xxiii.

¶ For selling of wines.

It is enacted, that no person sel any Gascoin wine, or french wine aboue.viii.d.the galon, that is, one peny the pinte.ii.pens the quart, & iiii.d.the pottel, viii.d.the galon, vpon peine to forfait for euery pinte aboue ye price sold, foure pens and for euery quarte.viii.d.and for euery potel solde.xii.pens, and for euery galon solde aboue the price.ii.s. And no Malmeseis, Romneys, Seckes nor other swete wines, shalbe sold by retaile aboue.xii.pēs ye galō.vi.pēs the pottel thre pēs the quarte, and thre half pence the pinte, vpō peine to forfait thre.s.iiii. pens for euery galō, & twenty pens for euery pottel, and twelue pens for euery quarte, and sixe pēs for euery pinte. Prouided, that ye Lord Chaūceller, Lorde Treasorer, Lorde President of the Counsayle, Lorde of the Preuiseale, and the two chiefe Justices, or fiue or thre of them shal haue auctorite to sette the prices of al kindes of wines, that is to saye, of the price of the But, Tū, Pipe, Hoggeshed, Pūchiō, Tierce, Barell, Rundelet, whē it shalbe solde in grosse so that they or any of them, cause the prices by them set to be written, and vpon proclamacion thereof to be made in the Chaūcery in ye terme time, or els in ye citie, borough, or town, where suche wines shalbe solde in grosse. And if any person after such prices set, and put in writing & proclamacion therof had, doe sel any wines in

gascoine wine;
ffrenche wine.
malmeseyes.
Romneyes.
Secke.
Swete wynes.

grosse, by fraude or couin, contrary to ỹ prices so set, and proclaimed: then euery offēdour shal lose and forfaite for euery vessel by them solde in grosse contrary to the said price, xl.s. the one halfe to the kyng, and the other halfe, if it be in Cytie, Borough, or Towne corporate, to the hedde rulers of such citie, Borough, or towne. And if it be without a towne corporate, then to such as will sue for the same by writ of dette, byll, plaint or informacion, in whiche no wager of law, protection or essoyne, shalbe alowed. And that the Justices of peace in euery shyre, and al Mayers, Bayliffes and head officers in townes corporate within the limits of their commission, aswel within liberties as without, shall haue auctorite to examine heare & determine the defautes of such as shall attempt to sel anye wines in grosse, or by retayle contrary to thys acte, & to punishe the offenders by imprisonment or otherwise by their discresion. An. xxviii. H. viii. Cap. xviii.

Also ye shall enquire if anye person by writing cifring or printing, preaching or teaching, deede or acte, obstinately, or maliciously holde or stande with, to extol, set forth, maintein or defende the auctorite of the Bishop of Rome or obstinately or maliciously inuent any thinge for the extolling, maintenāce or defence of the same or any part therof, or obstinately, or maliciously attribute any maner iurisdictiō or preeminence to the see of Rome, or to any bishop of ỹ same within this realme, or if any ỹ hīges dominiōs, the peine therof is so forfait lādes and

tenementes

tenemẽtes, and goodes, and to be put out of the kinges protection, as is cõteined in the statute of prouision. xvi. yere of king. Ri. the. ii.

Also ye shall enquire if the Bysshops & theyr ministers in their visitaciõs & seanes, make diligẽt enquire, and examinations of euery spirituall, and religious person withyn theyr iurisdictiõ, which shalbe suspecte, accused or demed to be offendour of this acte. And whether that they certifie into the sterre chãber withyn. xv. dayes after such presentmẽt, or accusatiõ, if the terme be then open, or els in the first day of the terme thẽ next folowing such accusaciõ or presentment, & al the dispositions and circumstance therof. And if any spirituall Judge do volũtarely cõceale, cloke, hyde, or coulour any p̃sentment, accusacion, or confession and do not certifie ỹ same in fourme aforesaid then euery such Judge or visitour shall forfaite for euery such defaut. xl. pound, halfe to the king, and halfe to him that wil sue.

Also ye shall enquire if anye person sell anye Gascoyne wines, or frẽch wines, aboue. viii. pens the gallõ that is after one penye the pint & two pens the quart, the forfaite for doing the contrary is for euery pint foure pens.

And also ye shall enquire if anye Malmesey, Rumney, or other sweete wines, be sold by retayle aboue. xii. pens the galon, & vi. pens the pottel, and three pens the quart, and thre halfepens the pint, the forfait for doyng the cõtrary is for euery gallõ. iii. s. 4. d. for euery pottel. xx. pens, for euery quart. xii. d. and for euery pynte

vi.d. vnlesse proclamacion be made in the Chaū-cery in the terme time, or els in the Cytie, bo-roughe, or Towne, where they shalbe solde of the prices by them sette, by the Lord Chaūce-ler, and other of the Councel appointed by the statute to set the prices.

Here foloweth incidently the office and auc-toryte of Sheriffes, and what peynes the lawe appointeth against them for the vnder execucion of their offices.

What the office of a Sheriffe is, hereafter shall more plainlye ap-pere, but to speake in a generaltie his office is, righteously and duely to returne all writes and precep-tes to him directed & truly to execute the same according as he shal be commaūded in the same writtes, & preceptes. And that he take nothig of any person for doing his office, but the due & accustomed fees to him belonging. And that he dulye holde and kepe his cōties. courtes and tournes according to the due course of ye law. Upon these three pointes dependeth the hole charge and effecte of his office.

The office of the Shyryffe is to retourne good, sufficiente, and reasonable issues, vpon suche persons as haue sufficiēt goodes or lan-des, according to the statute of westminster. ii. capi. xxxix. & i. Ed. iii. cap. v.

The shiriffe ought to take the enditemen-tes founde before him in his turne by Inden-

tum

ture, and so shall Bayliffes of fraunchises, one part whereof shal remaine with the inditours ii. Ed. iii. Cap. decimo septimo.

The Shiriffe may arrest men riding or goyng armed, and comit them to prison, there to remayne at the kinges pleasure. ii. Ed. iii. cap. quinto at Northampton.

Shyriffes and vnder shyriffes shall receyue writtes in euery place within the coūtie without taking ought, and shall make a byll, which if they refuse other that be presente shal put to their seales. And yf they retourne not the same writtes, they shalbe punished, and shall rendre damages to the partie. An. ii. E. tertii. Cap. v. at Northampton.

Shiriffes and Gaylours shal receiue theues indited or taken with the maner without takinge any thinge for the receite. An. iiii. E. iii. Cap. x.

Sheriffes shall leale their hundredes & wapentakes after the old ferme, & not aboue. An. 4. E. 3. ca. 15. & An. 14. cap. 8.

Sheriffes ought to arrest persons suspect of felony goyng by night, or by daye, which be of euil fame. An. xi. E. iii. Cap. xiiii.

The Sheriffe in one Countie shall haue no mo Bayliffes errante but one. An. xiiii. Ed. iii. cap. viii.

Sheriffes ought to kepe their turnes euery yere within a moneth aft Easter & withi a moneth after Mighelmas. An. 31. Ed. 3. cap. 14.

Sheriffes that leuie issues, fines, & amerciamentes in ỹ countie, ought to haue thertreates

enſealed with the ſeale of theſcheker, ſo that as much as is payed maye bee totted. And yf any ſherife or miniſter do the contrary, he ſhal rendre to the party treble damages, and ſhal make fine to the kinge, and the ſute therof may be aſwell afore Juſticers of peace, as before other Juſticers. An. xlii. Ed. iii. cap. ix.

The ſherifes ſhall arraye the pannelles of Aſſiſe foure dates before ỹ ſeſſions at the leaſt, vpon peyne of. xx. li. And Bayliffes of lyberties ſhal make returne to the Sheriffes ſixe dayes before ỹ ſeſſions, vpon theſame peine. An. xlii. Ed. iii. cap. xi.

The ſherife ought to examine Loyterers & Vagarantes, & compel them to finde ſuertie of their good behauoure by ſufficient mainpris of ſuch as be diſtraynable, if any defaute be founden in ſuch vagarãtes. And if they cannot find ſuch ſuertie, thẽ to commaunde thẽ to the nexte gayle, there to remayne vntil the comminge of the Juſticers of gaile deliuery, they to do with ſuch vagaraūtes as they ſhal thinke beſt. An. vii. R. ii. cap. vii.

The ſherife ſhalbe bounden foure times in the yere to make proclamatiõ of the eſtatute of Wincheſter in euery hundred of his bailliweke.

The ſherife ought to take ſwordes, daggers and hangerdes from ſeruaũtes labourers and ſeruaūtes of craftes men and victaylers that weare thẽ, vnleſſe it be in the time of warre, or whẽ they labour in the coũtrey with their maſters or vpon theyr buſineſſe. And the ſherife ſhall kepe the ſame weapons, which they ſhall

pzelent

presente vnto the Iusticers of the peace at their Sessions with the names of thē that bare them In.xii.Ri.ii.Ca.vi.

Sherifes ought to receiue labourers, seruaunts, beggers, & vagabondes, & thē deteine in prison without baile or mainprise & without fee, or taking any thing at their entre or goyng out of prison, vpon paine to forfait. C.li. to the king. In.xii.R.ii.Ca.ix.

Sherifes and other ministers of the kinge so sone as thei shal haue knowledge of assēbles and riotes with outragious nombre of people ought with the power of the shire to goe and make resistence against suche malyce with all their strength, and shall attache such misdoers & kepe them in prison vntil the due punishmēt of the lawe be executed vpō thē. And al maner of lordes, & other ỹ kings true liege mē ought to be assistēt with al their power and strength to ayde the sherifse & other ministers therein. In.xvii.Ri.ii.cap.viii.

Sherifes ought to be personally dwellinge in their Baylliwekes, for the time, & they shall not let them to ferme. An.iiii.H.iiii.ca.v.

Sherifes ought to see and prouide that neither their vndersherifes, baylifes, clerkes, nor receiuours, shall be attourneys in the Kynges court, for tyme of their office. Anno.i.Henrici.v.Cap..ii.

Sherifes ought to let to mainprise persons indited of hereſi, & lollardi which are i their kepinge within tē dayes vnder good suerty, so ỹ thei appere before the ende of ỹ saide ten daies

R.iiii. Anno.

Anno .ii. Henrici. v. Cap. vii.

Sheriffes shal cause the estatute of purueyours to be proclaymed foure times in the yere vpon payne to forfait .C. li. for euery tyme that he faileth so to doe. And vpon like peyne shall deliuer the same to his successour to be proclaymed. An. i. H. vi. cap. ii.

Sheriffes must make due election of knightes of the parliament. An. vi. H. vi. Cap. iiii.

Sheriffes must returne such psons knights of the parliamēt, which be chosen by ꝑ greater nombre of the freeholders dwelling in the coūtie whiche maye expende .xl. s. yerelye aboue al charges. And that those knightes be dwelling within the same countye. And that he examine euery freholder at such elections vpon a booke how much he may expende. And yf any Sheriffes returne other knightes, he shall forfayte C. li. to the king, and shal haue one yeres imprisonment without bayle or mainprise.

Sheriffes vpon a precept made vnto thē by Iusticers of the peace to enquire of forcible entre, shall returne vpon euerye of the Iurrours xx. s. in fines at the first day. And Iusticers of the peace shal heare & determine such defautes of Sheriffes by bill, at the sute of the partie or by inditemēt. And thei shal lese .xx. li. for euery defaute. And he that wil sue shall haue the one halfe. An. viii. H. vi. cap. ix.

To auoyd robberies and spoyles, vpon the riuer of Seuerne, & by the coastes of ꝑ forestes of Dean, and the Hundredes of Blodstome, & westbury in the coūtie of Gloucester, ꝑ sheriffes

of

of Glocester, or the Bayliffes of the towne of Glocester after notification made to any of thē of suche iniuries and damages, by the parties greued, within.iiii.dayes after such notificatiō made shal make proclamacion at the towne of Glocester, ẏ such offendours within.xv.daies after such proclamacion, shall restore vnto the parties endamaged their goodes, so taken or ẏ value, with a reasonable amēdes. The said sheriffe or Bayliffes to forfait.xx.li.if thei faile so to do. An.xi.H.vii.ca.xxvii.

The Sheriffe of Herforde nether ī his turne nor in any other place after ẏ turne ended, shal take anye enquire, or inquest of office, whiche ought not to be takē there, neither shal he take any fine or amerciament for thinges not appar teining to his office or turne vpō peine to forfait.x.li. An.ix.H.vi.cap.vii.

Sheriffes ought to returne in atteintes in ple of lande of the yerely value of.xl.s.or in an accion of dedes concerning landes of suche value and in acciōs of the summe of.xl.li.& more those persons dwelling within their bailiweke which may expende.xx.li.yerely aboue al charges for terme of lyfe at the least out of the auncient demesne, Gauelkind, & the v.portes. And at the first distresse.xl.s.& at the secōd.C.s.and the double value of euery other distresse agaīst the Jurrours vpon peine of.x.li.to the kynge & asmuch to the partie. And if there be not sufficient persons dwelling within ẏ coūte which may expende.xx.li.yerely, thē shal thei impanel other persons of the most sufficient possessiō of

yerely

yerely value of lādes, and tenemētes within ỹ value of .xx.li. vpon peine to forfait .x.li. to the king and to the partie asmuch in the fourme aforesaid. An.xv. H. vi. cap. v.

The sherife or vndersherife of Herforde must arrest suche persons of wales, or the marches therof which be outlawed of treason, or felony whome the sayde sherife knoweth or sayeth to be in any place within the said coũty, & to brig them to the gaile. And if any such person being endited do disobey or flie away, the said sherife shal leue, hue and crie, and pursue him, vpon peine to make fine and raunsome to the kyng. An.xxii. H. vi. cap. v.

The sherife shal not occupie his office aboue one yere, and if he so doe, then to forfaite. xx.li. and euery person for such offices shalbe voide, any wordes put in suche letters patentes notwithstanding. Also he that presumeth to occupy thesame office aboue one yere by force of suche letters patents, shalbe disabled to the sheriffes in any other shire afterwarde. Anno xxiii. H. vi. Cap. viii.

No sherife shal let to ferme his coũty nor any of his bayleweke hundreds or wapentakes.

No sherife, bayliffe of franchise, ne other officer shal retourne in any panel any of his bayliffes officers or their seruauntes.

No sherife nor any other to his vse shal take ought of any persõ to be arrested or attached, nor no surcesse of any arreste or attachement to be made by ỹ bodi. Nor shal take ought of any person arrested or attached for fine, fee, fute of

prison

prison maynprise letting to baile or for shewing any fauoure or ease to any suche person being so arrested, except it be as here foloweth, that is to weete, to the sherike twenty pens, the baillie that made the arreste foure pens, and to the gaillour if the prisoner be cõmitted to ward foure pens.

The sheriffe him selfe nor any other to his vse shal not take any thing for ỹ makig of any returne or panel but for ỹ copy of ỹ panel. 4. d. Howbeit they vse to take. ii. s. for the returne of a panel but that semeth to be extorcion.

Sherifes ought to let out of prison al psons being in their ward by force of any writ, bil, or warrant in any accion personal or inditement of trespas vpon reasonable suertie being sufficient in the cõsty to kepe their daies in the places as the saide billes, writs or warrantes require, excepte such as be condemned, outlawed, or excommunicate or for suerte of the peace or by the commaundement of anye Justicer and vagabondes which refuse to serue.

Also sherifes ought not to take any obligacions for any thinge aboue mẽcioned, or by colour of their office, but only to them selues, nor of any person being in their warde, but by the name of their office, as by the name of sherife in the obligacion, vpon condicio̅ that the pties shal appere at the dayes conteined in the writs in such places as ỹ billes writtes or warrãtes require. And yf any obligacion be taken of any person by colour of their office in anye other fourme, it shalbe voyde.

Sheriffes

Sheriffes shal not take for anye obligacion warrant or precepte by them to be made anye more then foure pens.

Sheriffes must make their deputies yerelye in the Kinges Courtes, that is to weete, in the Chauncery, the benche, and the eschecker of record before they returne any writ.

Sheriffes that doe contrary to this ordinãce in any point shal lese to the party greued treble damages, and shall forfait .xl.li. for euery time that they shall so offende, the one halfe to the king, the other to him that wil sue. An. xxiii. H. vi. cap. x.

Sheriffes when writs be directed vnto thẽ to leuie the expenses of knightes of the parliament, muste make Proclamacion at the next countie after the deliuerance of thesame writs that the Coroners, Constables, & Baylyffes of hundredes shalbe there to assesse their wages vpon peine of .xl.s. what time they shall assesse euery hundred at a certeine summe by it selfe, & after thei shal assesse euery village within the same hundred at a certeine summe by it selfe.

And if thei be otherwise assessed, for euery defaute, they shal forfaite .xx.li. The one halfe whereof shalbe to the partie that wil sue. And the sherife shall leuie thesame duelye, and shall pay it to the knightes of the Parliament vpon peine of .xx. pound. And the partie that wil sue shal haue his accion by Scire facias and shall haue ten pound aboue the .xx. pound with treble damages. xxiii. H. vi. cap. xii.

The sheriffes after the deliuere of any writ

to

to make election for the knightes of the parliament, muste make a sufficient precepte vnder his seale to euery Mayer & Bayliffe of Cities and Boroughes within the Countie, thē commaūding to electe Citizens and Burgesses to come vnto ỹ Parlyamēt. And the said Mayer, & Bayliffe shall truely retourne the same precept to the Sheriffe by endenture betwene thē for the election and name of them that are so chosen. And the Sheriffe is bounden to make a good and true returne of euery such writ and of euery retourne made to him by the Maiour, & Bailiffes. And for euery time that the Sheriffe shal doe cōtrary to this or any other estatute made for the election of Sherifes to come vnto the Parliament he shal incurre the peine of one. C. li. to the king, and a yeres imprisonment without baile. And moreouer shall paye vnto the ylon so being chosen knight, Citizen or Burges and not duely returned, or to anye other person which in defaute of such knighte, Burges or Citezen, will sue therfore one hundred poumde to be recouered by accion of det.

And the sheriffe ought to make such elecciōs in the ful countie betwene the houres of eyght and nine before none, & to make a good & true returne of such elections vpon peyne to forfait C. li. to the kyng, and almuch to the party that will sue therefore againste the Sheriffes, their executours or administers. an. 23. H. 6. cap. xv.

Sheriffes in their tourne ought to enquire, heare & determine, if any minister of the wardē of the court in the marches of Scotlād, or if any

any other arrest any person by his body, or attache him by his goodes out of the counties of Northūberland, & Cumberland, westmerlāde, and the towne of Newcastel to answere in any of the sayd courtes, or els by colour or cause of any proces in the sayde courtes, for in suche arestes it shalbe lawful for euery man to make resistence. And the party greued shall haue an accion of false imprisonmēt or trespas, and shal recouer treble damage therefore and the defendant shall haue two yeres imprisonment. And the sherife shall haue power to procede thereupon aswell as vpon presentment made in his tournes. an. xxxi. h. vi. cap. ii.

Where as some men by dissimulacion and other meanes faine them selues to be louers to women vnmaried, as Maydens, or wydowes, hauing great possession & substance of goodes, and get such women into their possessions, and cōuey thē into such places, frō whēce they wyl not suffer thē to go at their liberte except they wyl make to thē, obligacions of great sommes to be payed vnto thē, or cause thē to be bounden in estatute marchantes, or somtime wil compel thē to be maried at their pleasure which if they refuse, thē to lenye vpō thē ỹ sūmes cōtained in ỹ same obligacions & statutes: it is ordeined that the party greued shal haue a writte out of the Chauncery compriling the hole matter of theyr vnreasonable intreatinge directed to the sherife, cōmaunding hym to make proclamacio at the next county after the receit of the writ that the offendoure shall appeare at a certeyne

daye, and place prefixed in the writ before the Chancellour, and the Justicers of assise of the shyre where suche offences shal hap to be done or before some other person assigned by ỹ Chancellour. And the sherife to whom suche a writ shalbe directed, shal execute the same according to the tenour therof, vpō peine of thre hundreth pound, the one halfe to the kynge, the other to him that wil sue therfore by writ of det, wherin no wager of lawe, protection, nor forein ple (to cause the matter to be tried in a nother countie thē where the writ is brought) shalbe alowed. an. xii. H. v. cap. ix.

Upon euery inditement or presentment takē before sherifes or their ministers in their turnes or lawe dayes, they shall delyuer the same inditemētes & presentmētes to the iusticers of the peace at their next sessiōs vpō peine of xl. li. And the Justices of the peace shall awarde pces vpon the same aswel as if they had bē takē before them selues, & shal arraine those that be so indited of felony, and shal set fines vpō such as be indited of trespas, the extreates of which fyne shalbe inrolled by indenture, & deliuered vnto the same sherifes or ministers.

And if any sherifes or other ministers arrest or attach any persō by colour of any such iditemēt or presetmēt in their turnes or law dayes, or els take any fine or amerciament therefore afore they haue pcesse frō the Justicers of the peace, or afore the extreates out of the inditemētes shalbe deliuered, they shal forfait C. li. ỹ moyty wherof shalbe to the party suig therfore

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by a writte of det, in whiche no wager of lawe nor protection shalbe alowed. Anno primo. E. tiii. Cap. vii.

Upon an informacion made to Justicers of peace, or to other Justicers against any person for retaining, or giuing of liuere, or against any that is retained or taketh liuere, the Justicers shal make processe therupon, as vpō a recouerie of det or trespas. And if the Sherike i any such groūded therupon againste any person beinge sufficient, returne any lesse issues, then. xx. s. at the first day of the distresse and at the secōd day xx. s. and at the thyrd day. xl. s. and so at euery day such after, more by. x. s. i issues euery suche returne he shal forfait. xx. s. An. viii. Edwardi tercii Capi. ii.

The olde Sheriffe shall haue power to returne writtes, and to execute his office during the termes of Sainct Mighel, and Hyllary, after the yere of his saide office expyred onelesse he be lawfully discharged therof before. Anno xvii. Ed. iiii. cap. vi.

No Sheriffe nor other officer shall sease or take the goodes of any person beyng arested or imprisoned for felony vntil the same person be duly conuict or atteinted of the same felonie by course of the common lawe, or except the same goodes be otherwise lawfully forfaited, vpon peine to forfait the double value of the goodes so taken to the party greued suing therfore by accion of det, wherein no wager of law essoine nor protection shalbe alowed. Anno primo Richardi tercii, capitulo tercio.

No

No baylyffe nor other officer in any panell within any cõtie of this realme ſhall returne any perſon to be put in or vpon anye enquyre in the turnes of ſherifes, but ſuch as be of good name & fame, hauinge freeholde to the yerelye value of. xx.s. or copihold to the yerely value of.xxvi.s.viii.d.at the leaſt aboue all charges, vpon payne to leſe for euery perſon beynge ſo impanelled or returned not beyng ſufficient at euery tyme that they ſhall ſo offende. xl.s. and the ſhirife other.xl.wherof one moyte ſhalbe to the partye ſuinge therfore by action of det, in whiche ſute no protection, nor eſſoyne ſhalbe alowed. But wager of lawe is not exprelſed. And for that cauſe it behoueth to make informacion therof in the Eſcheker. an.ii. Ri.iii. Capitulo.iii.

Shiriffes or other hauinge the cuſtodye of gayles ſhall certifie the names of euery priſoner being in their cuſtodye, & to thẽ committed for felony vnto the Juſticers at the next generall Gayle deliuerie to be kalendred, vpon payne to forfayt for euery time that they ſhall make defaute in ſo doing.c.s.an.3.H. vii.ca.iii

Alſo the ſhirife nor no other plõ in his name or by his cõmaũdement ſhall entre no plaintes into their bookes in no mans name onleſſe the plaintife be there in his proper perſon, or els by ſufficient atturney or depute ỹ is knowẽ of good name & the plaintiffe ſhall finde pledges plons ỹ be knowẽ in the cõtie to purſue hys plaint & the plaintife ſhall haue but one plaint for one treſpaſſe or one contracte. And yf the

shirike or any other his officers cause to be entred any mo plaintes then the plaintike supposeth that he hath cause of accion againste the defendant, thē the shirike or his clerke ꝑ doth cause to be entred any suche plaintes contrary to this act, shall forfaite for euery defaut .xl.s. the halfe to hym that wyll sue and proue the same matter by action of det or informacion.

Also the shirike shall make sufficient precepts after such plaintes entred against the defendant directed to the bayliffe of the hundred to attache or warne thē defendant to appere and answere to the sayde plaintes, and if there be any defaute in the sayde baylyffes, of the hundreth in warning or executing of theyr offices, then to forfait .xl.s. & to be conuict therof by examinacion of the Iusticers of the peace or any of them.

The same shirikes nor their deputies shall make none estreates to leuie the shire amerciamentes tyll that .ii. Iusticers of the peace, wherof one to be of the Quorū, haue the sight of their bookes & the estreates to be endented betwyxte the Iusticers of peace and the shirike and vnder shirike, sealed with their seales, the one parte to remayne wyth the sayde Iusticers, and the other part wyth the shirike. And that those persons that shalbe gatherers of the sayd amerciamentes shalbe swoze by the said Iusticers that they take no moze money then is forfayte and conteyned in the estreate sealed with the seales of the Iusticers to the same vpon the same payne of forfaitures as is

about

aboue reherſed theſame gatherers to be cõuict by examinacion of the ſame Iuſticers or one of them. And theſame Iuſticers of peace ſhal be appointed at the ſeſſions holden at Myghelmas by him that is Cuſtos rotulorum or in his abſence by the eldeſt of the Quorum to haue the controlment of the ſayde ſhiriffes, vnderſhiriffes, ſhyre clerkes and other of the ſayde officers, and of the ſaid ſhiriffes, amerciaments. And the ſayde Iuſtyceers of peace vpon ſuggeſtion ſhal make proces agaynſte the ſhyrife vnderſhiriffe, ſhire clerkes or other officers to appeare before thẽ to aunſwere to ſuche ſuggeſtion or informacion as is vſed in action of treſpas. An. ii. H. viii. ca. xv.

Alſo euery ſhiriffe ſhal cauſe to be taken all vagabondes ydle people & ſuſpect perſons, and ſet thẽ in the ſtockes, there to remayne at the firſt takyng by one daye & one nyght, & at the ſeconde time to be in the ſtockes by thre dayes & thre nights wyth bread & water. And yf anye ſhiriffes execute not theſe premiſſes of euerye vagabounde, heremite or begger able to labour, or clerkes, pilgrimes, or ſhipmen, as oftẽ as any ſuch commeth in ſyght, or that he hath thereof anye knowledge within the towne or place where he hath auctoryte, that as oft as any ſuch miſdoer abydeth there aboue ỹ ſpace of one day & one nyght and departe vnexamyned & vnpuniſhed for euerye miſdoer ſo departed, the ſhirife to loſe. iii. s. iiii. d. & the ſhirife in his turne hath auctoryte to enquire of al the defautes of Mayours, Bailiffes, high Conſta-

bles, pety Constables, & all other gouernours and officers of Cities, Townes and Villages within their towne, and to haue .iii.s. iiii.d. for euery defaute founde in his tourne. Anno. xvi. Henrici septimi cap. xii.

Also euery shirife vpō precepte directed vnto hym by the iusticers of peace to retourne a panel to enquyre of any riot or vnlawfull assemble committed, shall returne .xxiiii. persons dwellinge in the shyre, euery of thē hauing .xx. s. of freholde, or .xxvi. s. viii. d. of copy holde or of bothe ouer all charges, and to retourne in issues euery person .xx. s. at the first daye, and at the seconde day .xl. and if the defaute be in the shirife for returnynge of persons not being of that sufficiencie, or for none retournyng of issues in fourme beforesaide: he to forfayte .xx. li. An. decimo nono. Hy. vii. cap. xiii.

Also yf any riot or assemble of people be made in anye parte of this realme againste the lawe that Justices of the peace or two of them at the least and the shirife or vndershirife maye come with the power of the countie (if nede be) to arrest and bring thē afore the same Justicers of the peace. And the shirife or vndershirife haue to recorde that they shall fynde in theyr presence done contrary to the lawe, and the offendour shalbe conuicte by suche recorde. And if they be departed before ȳ cōming of the said Justicers, shirife, vndershirife, thē shall ȳ same Justicers or two of thē within one moneth after such riot, enquire diligently when the assemble was made. And if the truth can-

not

not be found: then the same Justicers, or .ii. of thē, and the shiriffe or vndersherife above said, within a moneth next folowinge, shall certifye before the kynge and hys councell the whole dede with all the circumstances therof, whiche certificat shalbe as stronge to put the partyes to answere therupon, as an inditement founde by .xii. men. an. xiii. H. iiii. cap. vltimo.

And if the said ryot or vnlawful assemble be not found by reason of any imbracery or maintenaunce of the sayd Jure, thē the sayde Justicers of peace & the sherife, ouer and above such certificat that they must make according to the sayde statute made. An. xiii. H. iiii. shall in the same certificat, certifye the name of the same mayntenours and enbrasours in that behalf (if anye be) with theyr misdemeanours that they know vpon payne of euerye of the sayde Justicers and shirpffes or vndersherifes. xx. li. yf they haue no resonable excuse for none certifieng of thesame, whiche certificat so made shall be an inditemēt in the lawe. And euery person duely proued to be mayntenour or imbrasour shal forfait. xx. li. & to be committed to warde there to remayne by discrecion of the Justicers vir. H. vii. cap. xiii.

Also that no sherife vpon writtes & preceptes directed to him do returne before Eschetours or cōmissioners any person to enquire of any landes & tenementes except euerye of the same iury haue lādes & tenemētes of the yerely value of .xl. s. above al charges in the same shyre vpon peyne of forfaiture for euery per son

so returned. C.s. An.iii. H. viii. ca. ii.

Also al panels put in by the shirife before any Justicer of gayle deliuere or before iustycers of peace (wherof one to be of the Quorū) in their open sessions to enquire for the kynge shall be reformed by puttinge to, taking out of the name so impanelled by discretion of the same Justicers. And that the same Justicers or Justicer shall commaunde euerye shirife & their ministers in their absence to put other persons in the same panel by their discretion and the same panell so reformed, by the Justycers to be good, & if any sherife do not returne the same panel so reformed, then euery shirife so offending, for euery such offēce shall forfayt xx. li. half to him that wyll sue by action of det byl or cōplaynt where shall lai or be, & no wager of lawe, essoin, nor protecciō to be alowed.

Also vpō euery exigēt) where writtes of proclamacion are to be awarded) the same wryt of proclamacion to haue the same daye of returne that the exigēt hath, and to be deliuered of recorde & the sherife to make proclamacion thre seueral dayes in his playne coūty, wherof one of the proclamaciōs to be made at the general sessions in those partyes where the partye is supposed to bee dwellinge, that he yelde hym selfe to the Shirife of the forein shire that the shyrife may haue the body at the day of the exigent returnable to answere to the plaintes, & that the shirife of the sayde coūtie ꝑ hath suche writtes of proclamaciō duely execute the same & therof make due returne at ꝑ day appointed

in the same writ, vpon payne to forfayt such amerciamēt as by the Iusticers shalbe assessed.

Sheriffes, Bayliffes, Constables & al other hed officers, & euery of thē finding or knowing any person vsing or exercisinge any vnlawfull games contrary to the statute, haue ful power to commit euery such offēdour to warde, there to remayne wythout bayle or maynprysse to such tyme as they so offending be bounden by obligacyon to the kinges vse, in such summes of money as by discretion of the saide sheriffes or other officers shall be thought reasonable that they from hencefoorth shal not vse any vnlawful games. An. vi. H. viii. cap. ii.

If any impotent person beg within any other place thē within suche limittes as he shall be assigned, the Shiriffes and al other the kynges officers shall by their discrecion punishe such person by imprisonment in the stockes by the space of. ii. dayes and. ii. nightes gyuinge them bread and water onely, and after that, cause them to be sworne to tourne agayne to the place where they be lycensed to beg. Anno xxii. H. viii. cap. xii.

The Iusticer of peace vpon informacion or presentment made agaynst anye townеship for none executing of this act, shal make proces by distres agaynste the inhabitantes of the town & therby the sherife shal distraine the goods of one or two of the inhabitantes of the town as he may know for negligent in the towne, & retayne the distres tyll they finde suertye to appere at the sessions before the Iusticers.

And vpon the returne of the shyrisse of the distresse, if the person appeare not, then euerye person so distreined to lose. xl. d. at the fyrst distres & at the seconde distres. vi. s. viii. d. vpon his defaute, and so to be doubled at euerye distresse tyl appearaunce be had.

Shirisses that haue custody of Gayle shall make seales to be grauen with the name of the castel that he kepeth for to gyue & seale writtes to the prisoners acquited to beg for their fees within the hundreth where he is deliuered by vi. weekes next after his deliuere, and then to go to the Hundrethe where he last dwelled by iii. yere or where he was borne. The shirisses shall not suffer suche prisoner to begge for his fees, nor to depart but to do seruice and labour tyll that he delyuer hym such letter & the clerke of the peace to make the brieue within one day after the sessions vpon payne of xii. pens to the kinge. An. xxii. H. vi. cap. xii.

For distroyinge of Crowes, rookes and choughes, it is ordeined ỹ euery person hauing any manours, lādes & tenemēts in their manurance, shall do as muche as in him is resonable to kyl & destroy the same Crowes, choughes, & Rookes, breding or abiding vpon his landes or tenementes, vpō paine of a grenous amerciament to be set. And yf the offence be within the limittes of Ietes, rapes, or courtes barons, then to be set by the stewarde with two of the presentours by the stewarde and presentours to be named vpon the presentment founde and presented and to bee reasonably assessed after

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the quantite of the offence. And the amerciament to be to the lorde of the lawe daye, and yf any person be lorde of suche manours or inhabite there (wherunto any such law day or rape is belonginge) then vpon a presentmente had before the sherike in his turne with two of the presentours to be chosen by the presentours, shall lease the sayd amerciament by theyr discretion to the vse of the kinge and to be leuied by distres. An. xxiii. H. viii. Cap. x.

And the sheriffes in their turnes shall gyue incharge to the tenauntes & inhabitantes apperynge before them that they shall duelye enquire & put in execution the effect of this act.

Shiriffes shall holde their courtes from moneth to moneth. And where greater tyme is wonte to be, greater shalbe. Mag. carta. cap. 33.

The king comaundeth the shiriffes & theyr officers which receyue his dettes shall acquite lawfully the dettours at the nexte accountes after that they haue receyued the det, and then it shalbe alowed at the Escheker, so that it shal not come in the somons after. And if Shyriffes do otherwyse, & be attaynted thereof, he shal rendre thre times so much as he hath receiued, & shall make fyne at the kinges wyll. And yf another do it, for whose hande he is answerable at the escheker, he shall rendre the treble thereof to the plaintife, & shal make fine in the same wyse. And the sherykke shall make tayles to all them that haue payed hym the kinges dettes. Westminster. i. cap. ix.

Concernynge shiriffes & other whiche haue

leuied

reuyed the kinges det, & make tayles or other acquitãce to the dettours, & discharge him not: It is agreed that whẽ the shirife is empleded therfore in thescheker by ỹ dettours, if he come not at the distres, then shal another distres be awarded, returnable at a certayn day, wherein it shalbe cõmaunded that proclamaciõ be made in the full coũtye, ỹ the defendant shal come in by a certayne daye to acquyte the dettours of the summe for whiche he made hym the acquitaunce or taile, at which, if he come not in, and the writ be returned & the proclamacion certifyed he shalbe holden conuict, & the det shalbe leuied of him, in like maner as det recouered agaynst him in the kinges courtes, & damages shall be awarded to the playntife accordinge to the discrecion of the Barons. xiiii. Ed. ii. in the estatute of Attaintes the last chapitre.

The kinge cõmaundeth that all shirifes and Baylifes whiche haue receyued his dettes of the somons of the escheker whiche acquite not the dettours vpon the next accounte, shalbe punished accordinge to the estatutes made distresses of the Escheker. cap. v.

It is ordeined that executiõ of writs which come to the shirife, be made by the hũdreders knowen & sworne, and in the full countye and not by others, if it bee not for great scarsite of hundreders. For then it shalbe done by other persons conuenient and sworne. The estatut of Lyncolne the last chapitre.

Shirifes shall not be charged with the leuieng of any yssues, nor shall leuy anye, before they

they come out of the eschekier by the estreates there to be leuied. And if percase any shyrrifes returne issues vpon anye recognitour, pledge or manucaptor, by him assessed and returned in our courte whiche to the paiment of the same issues by amerciamentes at the tyme of the returne was insufficient: the same shyrife shall be charged therewith at the Eschekier, and shal make tayles to all persons of all maner of thinges by him receiued and shall not returne any where the names of manucaptours, Iurrours or other, excepte it be accordinge to the tenour of the wrytes to thē directed, nor shall returne the names of pledges of fre men anye where, vnlesse they haue manyfestly confessed them selues pledges. The estatute of kynes. capit. ii.

No Shirife, Coroner, or other the kinges ministers shal take no reward for doynge his office, and if he do, he shall pay the double, and shalbe punished at the kinges wyl, but shalbe paid of that which they take of the king Westminster. i. cap. xxvi.

Shirifes shall not suffer any barettour or maintenour of matters within his county neither stewardes of great lordes nor other (which be not atturneis to their lorde to do theyr futes) nor to sit vpon the Iudgementes of the countyes, nor to pronounce them except he bee there to required of al the iurours and attournes that shalbe there at the same tourney. And if he do the contrary, the kynge shall take it greuously to the shirife and ỹ offendour

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Westminster.i.cap.xxxi.

It shalbe lawfull to euery shiriffe, Justycer of peace and Escheatour to sease to the kinges vse al suche goodes and cattels that such persons as come within this realme that bee called egiptians haue, and therof to make accopt to the king in his escheker and to retayne and kepe the moyte therof to his owne vse, and accompt for the residue & to paye no fees for the accompt nor for his discharge therof.

In this estatut it appeareth what thing the sheriffe ought to do by reason of his office, and that he ought not to take any thing for doyng his office but onely the which is appoynted to hym by the same estatut. And yf he do or take any thynge otherwyse, it is extorcion, whyche ought to be enquired vpon by Justycers of the peace, & the shirife shalbe punished therfore.

And if any sheriffe do any extorcion to the people and be duely attaynted thereof, he shall be straygtly punished therfore at the pleasure of the kinge. An.i.Hen.iiii.cap.xi.

Shirifes may & are bounde to enquire of common anuisance done to all maner of the kynges subiectes, but not of assaultes made vpon any priuate person that is but a particuler offence by Martyn.iiii.H.vi.

The shiriffe muste kepe his turne within a moneth after Easter and within a moneth after the feast of.s. Myghel. And if he kepe it at any tyme after the moneth of the sayde feastes it is voyde by the statut. An.xxxi. E.iii.ca.xii.

And al inditementes and presentmentes there taken

taken after the same tyme be voyde.

Bloudshed shalbe enquired of in the shirikes turne because it is an article that is to be enquired in leetes. All leetes be derived & taken out of the sherifes turnes, in so muche that for defaute of enquire in letes of thynges enquirable there, the same thynges there omitted ought to be enquired of in the turnes of Sheriffes. H.viii. E.iiii.

And all the Justicers sayde that the sheriffe in his turne hath auctorite to enquire of all thinges that be trespasse, or felony by the common lawe (excepte the death of a man) but of trespas or felony made by estatute, the shyrike in his turne hath no power to enquire of. H. xviii. E.iii.

And if the shyrikke in his turne enquire of Nusances that shoulde be enquired of in the lete of another and the same be found, yet may he not distrayne for the amerciament of suche presentment. For if he do he is a trespassour. But if there were a defaute in ỹ Lorde of the Lete in that he wolde not enquire, or finde the same, when he ought to haue enquired therof, in this case it semeth that the Sheriffe in his tourne may enquire of it in defaute of the lord H. vicesimo octauo. Ed.iii.

And if one haue a faire in a market by graunt or prescription & kepe not his fayre or market as he ought, the shiriffe ought to enquire therof in his tourne. xxii. Henrici. vi.

Upon a presentment of Nusance in the shyrikes tourne the party shalbe amerced there

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by the shiryffe whiche maye distrayne for the amerciamente. And if purpresture be presented there, the shiriffe maye abate the same and refourme it. P.xxvi. Ed. terciii.

Also it appereth by the booke of Bretō, that vnto the turne of the shyriffe, ought to come all the freholders of the hundred & other land tenauntes (clerkes men of religion, & women only excepted) whereat the shiriffe shall cause twelue of the most sage and sufficient persons of the hundreth to be sworne. And then shall all the resydue be sworne by dosyns & by the towne whiche shall make theyr presentmente to the firste twelue Jurrours vpon the articles wherwith they shalbe charged. And it semeth that the Shyriffe ought to holde his turne in euery hundred within the countye.

¶ What thinges be inquirable in the Shyriffes tourne.

Eyrst they shall enquire yf there be any misdoer in the hūdred of whō any standeth in dout of lyfe or lim. And what is his name.

Also they shal enquire of al mortal enemies to the king, ẏ Quene, theyr children or councellours, or counterfaytynge the kinges seale or his money, of manslears & murderers or burners of others corn or houses felonously, or burglours, of robbers of theues, of outlawes, of those that haue abiured the realme, and come agayne, of Sorcerers, and witches, of miscreantes, & heretykes

of

of traytours, & of prisoners, of cutters of purses, of Usurers, of Victaylers byeng and sellig wyttingly stolne flesshe, of them that wittingly make white the skinnes of beastes, stolne, of reddubours that wittingly bye stolne clothes, and dresse the into an other facion, of tresure hid in the ground, hues and cries wrongfully lye or right fully leuied and not pursued, of waters stopped, streyghtned, or turned, of bodes pulled vp or wrongfully chaunged, of walles, houses, gates, marlepits, diche, or other disturbances made or leuied vpon any common waye to the anusaunce therof, of pety bribours that shere shepe to haue the wol, of such as take the seabot, & of those that haue made a prison of their owne house, or houshold, of pound breache, of trespassors in parkes and pondes, of takers of other mens doues, of the assise of bread and ale broken of them that bye and sell by mesures against the assise, of chance medlers, of contectours of bloudshed, of watches vnkept, of the kinges highe wayes not enlarged, of those y haue kept appeachers in any other prison the the kinges, or any other felon aboue a day & a night, of newe liberties, customes, or iurisdictions vsurped sins the laste turne on water or on land, of weffes, of wreckes of the sea found and kept away, of bridges and cauceys broken and who ought to repayre them, and of those that claime franchises, or iugementes realles, and of al those of the age of .xii. yeres gone out of the hundred, whiche be not come into the turne (excepte clerkes, knightes, theyr chyl-

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drē and wyues whiche be not in the dosins) of vagabundes by the countrey whiche are of no mans retinue, of whome there is anye euyll suspection of lewde demeanour.

And when the townes haue giuen their verdite to the first Jurrours, thē immediatly shal the firste Jurrours go and giue vp their presentment such as they wyll abyde by. And the presētmētes of felonies they shall shewe priuelye, & the other opēly. Britō, lib. i. Fo. xxxviii.

Nowe must ye enquire further yf bayliffes of liberties & franchises, haue duly done theyr office which resteth in thre pointes, whiche is that they truly execute the preceptes whiche be directed vnto thē accordinge to the tenours of the same, and that they make due answere, & returne to the shyriffe the same preceptes, and that he take nothynge for doyng his office but onlesse the fees to him due and appointed by the course of the lawe. And what fees they shal take, and what thynges they ought to doe by reason of theyr office, shal appeare more plainly here folowyng.

¶ The office of Baylyffes of Lyberties.

VPon a precepte made by the Shiriffes to a Baylife of a Lybertye vpō a wrytte of distresse, directed to the Shyriffe to distrayne the defendāt in the same writ or the Jurrours in any inqueste the

the Baylife muſt returne good and ſufficient iſſues vpō the defendant, or vpō the Iurrours if they haue ſufficient goodes or landes within his Bayleweke, and if he doe not, the plaintife in the accion ſhall haue an Auerment that he might haue retourney greater iſſues yͤ the defendant make defaut, or the iurrours by the eſtatute of Ed.iii.cap.v. And Iuſticers of the peace muſt enquire if the Baylifes haue doone theyr office in that point.

Alſo they muſt enquire if Baylifes of liberties whiche be keepers of any gaile enforce any of their priſoners to be appeallours to yͤ entēt to haue a fine of the parties appealed for doubt of impriſonment. 2. E.3.cap.vii.

Baylifes of liberties which take inditement in their turnes, or otherwhere, ought to take them by indenture, whereof the one parte ſhal remaine with the inditours, and the other with the Bayliffe. An.ii.Ed.iii.cap.xvii.

None ſhalbe made Bailife of a liberty, except he haue ſufficient lande in the place where he is miniſter, to make aunſwere to the kynge and his people. anno.iiii.Ed.iii.cap.ix.

Bailiffes of liberties which be gailours and haue the keping of priſōs ought to receiue and ſafelie kepe al theues delyuered to them by the conſtables of the townes, beyng indited, takē with the maner, or appeled of Felony without takyng.an.iii.Ed.iii.cap.x.

Baylifes of liberties muſt receiue ſuch perſōs as be arreſted in theyr franchiſe by yͤ Conſtables for ſuſpeccion of Felonye, that walke

in the countrey by nyght, or be of euyll name, and shal kepe them in prison vntyll the cõming of the Justicers of gayle deliuery, and in the meane tyme the Bayliffes must enquire of thē. An.v.Ed.iii.cap.xiiii.

Baylyfes of libertyes, Constables, and other officers of Townes, where Loyterers and vagabũdes resort, haue power to examine them diligently, and compel them to find suerty by sufficient mainpernours, beinge distrainable of their good behauour. And if any defaut be founden in the same Loyterers, and vagabundes, and cannot find suerty, they shal be set to the next gayle, there to remaine vntil the cõming of the Justicers of gayle deliuery, which may do with them as they shall thinke best by the course of the law. An. viii. R. ii. Cap. v.

No seruaunt or labourer at the ende of hys terme shall depart out of the Hundred or rape where he is dwelling to dwel any other where vnlesse he bring a letter patent concerning the cause of his going vnder ỹ Kynges seale there to be assigned. And if any seruaunt labourer be founde vagaraunt without such letter, he shall be take forthwith by the Sherifes, Mayers, Bailiffes, or other officers, and put in stockes, vntil he finde suertye of returne to the townes to serue from whence he came vntyll he haue such a letter to depart for cause reasonable. an. xii. R. ii Cap. iii.

Bailifes of liberties haue power to arrest seruauntes and labourers that weare daggers swordes and knives, and them to sease & kepe

vntyll

vntyll the sessions of the peace, & the weapons to prefet to the Justicers there with ỹ names of them that bare them, and the weapons shall be forfait except they be trauelling in the cõtrey with their maisters, or in their landes or busines. An.xii.R.ii.cap.vi.

Sheriffes and Baylifes of liberties in their liberties are bounden to receiue seruantes and labourers beggyng and vagaraunt, and them to deteine in prison without baile, without takyng of any fee or other thyng of them at theyr entre or departinge by themselues or by theyr deputies, vpon pain of. C.s. to the kyng. an. xii. Ri.ii. cap. ix.

Bailifes of liberties to whom the keping of the assise of bread and ale, and the correccio of the same belõgeth, shal take no amerciamẽt nor fine for no default touchinge the said assise for which the offendour ought by the law to haue corporal penance, but they shal adiudge thẽ to the same penãce. And Bailifes of liberties and al other that haue the keping and ouersyght of vitailes shal put in due execution the estatute made in ỹ. xxiii. yere of Ed. the third which begineth, ĝa maior pars populi. &c. A.13.R.2.c.8.

Butchers, Fishers, Hostellers, Brewers Bakers, Poulters & al other sellers of vitailes are bounden to sel such maner of vitailes at a reasonable price, hauinge regarde to the price wherat suche vitailes are solde in other places nere, so that they may haue a competent gaine & not excessiue according as by the distãce of ỹ places (frõ whẽce the vitailes are caried) they

ſhall thinke reaſonable to be required. And as yf any ſel vitayles in any other maner & therof be conuicte, he ſhal pay the double of that he hath receiued to ỹ partie endamaged, or if his defaut to any other that wyll ſue therefore. And Mayers and bayliffes of townes &c. haue power to enquire of all ſuche as offend againſt this ordinaūce in any pointe. And in caſe that the ſame Mayers and Bailiffes be negligent in doyng execution of the premiſſes, and therupō be cōuicted by ỹ Juſticers aſſined by vs, they ſhalbe cōpelled by the ſame juſticers to reſtore the treble value of the thing ſolde to the ptie greued, or to any other that in his defaute wil ſue, and neuertheleſſe ſhalbe greuouſly puniſhed againſt vs. an. xxiiii. E. iii. cap. vi.

No ſtewarde, Baylyfe nor other miniſters of Lordes of fraunchiſes whiche haue returne of writtes ſhall be attourney to any perſō in any matter within the ſame fraunchiſe or Bayly weke where he is officer at any maner of time. An. 4. H. 4. cap. xix.

If an heinous riot be made, the Juſtices of the peace and the ſherife or vnderſheriffe ought to do their office accordyng to ỹ ſtatute. made. xv. H. 4. And if they do not at the ſute of the partie greued, a cōmiſſiō ſhal go forth to ēquire therof, and of the defautes of the Juſticers and the Sherife, & the Corōner ſhal ſerue the ꝓceſſe, and he muſte retourne perſons that haue lande to the yerely value of. x. li. & ſhall returne alſo xx. s. in iſſues at the firſt day, and. xl. s. at the ſeconde, and at the third time. C. s. and ſo double it at

it at euery daye after. And if defaute be in the Coroner in returning of ỹ issues, or of psons of such land, he shal lese.xl.li. And yf the olde Sherife be discharged, the newe Sherife shall serue the proces, & not the Coroner, vpon peyn of.xl.li. if the defaut be found in him touching the returne of other persons by him impanelled whiche haue not landes to the yearely value of x.li. or to retutne suche issues as the Coroners be charged with. And bayliffes of liberties are bounde for to impanel sufficiēt psons, as aboue is said, vpon peine to lese.xl.li. in case that such persons may be foūden within his bayliwicke. In.xi.H.v.cap.viii.

Bailifes of franchises ought to make their returnes, & answers vnto the sherife vpon his precept made vnto thē in a special writ of assise vi. dates before the day of the sessiōs vpō peine to forfaite.xl.li. for euerye tyme that they shall do the contrary. In.vi.H.vi.ca.ii.

Where a precept is made to the shirife by iustices of peace to returne a panel to enquire of forcible entre, and he sēdeth hys precept to the Baylife of the libertie to retourne ỹ panel because the riot was doone within the lybertye, now is the bailife boundē to make due returne & execucion of the precept to him directed vpō peine of.xx.li. for euery defaut. And the estatute will that the sherife shall returne.xx.s. in issues vpon euery Iurrour at the firste day, and that euery Iurrour which shal passe in the inquire, shal spende.xx.s. yerely whereby it semeth that bailifes of liberties are boūdē to doe likewise.

if so many of the sayd Jurrours be within his libertie or els he is not. An.8.H.6.cap.9.

Bayliffes of liberties in attaintes vpō plee of land of the yerely value of.xl.s. or more, nor in attaintes for dedes cōcerning landes of lyke value nor in attaintes vpon personal accyons wherin the recouery extēdeth vnto.xl. or more shall not returne or impanell any psons in such inquestes, but those that be dwellinge wythin his bailiweke, & that haue estate to their owne vse in landes or tenementes for terme of lyfe to the yerely value of.xx.li. or more within his bayliweke out of the auncient demesne & the.v. poortes. And at the firste daye of the distresse returned, shall returne no lesse pfiues in such accions of attaynte, then.xl.s. and at the seconde distres C.s. & the double of euery other distres vpō the psons impanelled & returned. And if he do the contrary, he shal pay.x.li to the kinge & as much to the party. An.xv.H.vi.cap.v.

Bailifes and other the kinges officers may arest those souldiours that come from the Sea and shew not letters testimonial from their capitaines that thei haue licenced them. And thei shal kepe them vntyl they haue enquired whether thei had licence or not, and yf they haue no such licence, then shal they be punished as Felons. An.xviii.H.vi.cap.xix.

No Bailife of a libertie (vpon any precepte to him directed to returne the panell of any inquest) shall in the same retourne any Bayliffes officers or seruaunt to any officer aforesayde, nor shall take anye thynge by themselfe or by

other

other of any person by thē arested or attached, to their owne vse or auaile, nor of any other p-son for any arrest or attache, by the body made by thē, or that is arested by vertue of their office for fine, fee, suit of prison, mainprise, letting to Bayle, or shewing of any ease or fauoure to any person so beyng arrested for their reward or profite, but as is here limitted, that is to wit for the sherife. xx. ð. the bailifs that makes the arest. iiii. ð. and the Gailour if the prisoner be committed to him. iiii. ð. And no Baylifes of anye liberte, nor Cozoner by hym selfe nor by other by coloure of hys offyce, shall take anye thyng for the making of any retourne or panel and for the copy of a panel but. 4. ð. Also Bailiffes of liberties shall let out of prison al persons by them arested or being in their keping by force of any byll, writ, or warraunt in anye action personall, or by force of any Inditement of trespas, vpō reasonable suertie, hauing, sufficient within the bayliwicke where they be let to bayle, to kepe their dates in the same places as the same byl, writ, or warrant shal require, those onely excepted whiche be in warde vpon anye condemnation, or bee excommunicate, or outlawed, or arrested vpon suertie of the peace and vagarantes that refuse to serue. And that the said Bailifes shall not take any obligaciō of any person, nor by any person, being in their warde by course of the lawe, for anye the causes aboue rehearsed, but in the name of theyr office, & vpon condicion that the same persons shall appeare at the dayes conteined in the said

writtes, bylles, or warrantie, and in suche places as they require. And if any bailife take any obligacion in any other fourme and coloure of hys office, it shalbe voide, and that he shal take no more for the making of any such obligation warrant or precept by them to be made but. 4. pens. And if they doe contrary vnto this ordinaunce in anye poynte for so doyng, they shall rendre to ye partie greued his damages treble, and shal forfait for euery time that they do cōtrary. xl. li. the one halfe wherof shalbe to hym that will sue in any of the kinges courtes therfore, &c. An. xxiii. H. vi. cap. x.

Baylifes of liberties ought not to sease the goods of any person arrested, or imprisoned for Felony, before that they shalbe conuicted or attainted of the same felony according to the law or els that the same goodes be otherwyse forfaited, vpon peyne to forfaite the double value of the goodes so taken, vnto the parties endamaged, suyng therfore by accion of det, wherin no wager of lawe essoyne nor proteccion shall in any wise be alowed to the defendant. Anno. i. Ri. iii. cap. iii.

Bayliffes of liberties that be gaylers & haue the keping of gailes shall certifie the names of euery prisoner in his gayle that is there for felony, at the next general gayle deliuere in euery county or fraūchise (where such gaile is) to be calēdred before ye Justicers of ye same gayle deliuere, vpon peyne to forfait for euery defaut there recorded. C. s. An. iii. H. vii. cap. iii.

Al baylifes and other hed officers, and euery

of

of them finding or knowing any person vsynge or exercisinge anye vnlawfull games contrarye to the statute, haue power to cõmit euery suche offendour to ward, & there to remaine in prison without bayle or maynprise, til such time as he be bounde by obligacion in suche summe as by discrecion of him that taketh the bonde semeth reasonable to the kinges vse, that he shall play no more. An. vi. H. viii. Cap. ii.

All statuts made against sherifes, vndersherifes, Bayliffes, or other ministers for making or returning of panels, or iuries, or for due execucion or seruing of writtes, or other proces, or for taking of fees, or for the reformacion of extorcions, or for any other thing cõcerning their office, and al peynes conteyned in euerye suche statute, shalbe extended to all stewardes, bayliffes, and other ministers, and officers of liberties and fraũchises hauing returne of writtes and execucion therof, in like maner as they extẽd to sheriffes their vndersheriffes bailiffes or other ministers, sauing the bayliffes, & offycers of liberties may occupy their offices for as lõg tyme as they shalbe gyuẽ vnto them. An. xxvii. H. viii. cap. xxiii.

¶ The office of Eschetours.

YE shall enquire of Eschetours if thei haue duly executed their office and if thei haue takẽ any more for doing therof then thei ought, or if they haue cõmitted and done any extorcion

extorcion or oppression vnto the Kinges people by colour of their office. And therefore ye shall vnderstande, that no Eschetour ought to meddle or enquire for the Kinge, but in case where the King of right ought to be entytled, and haue the lande or thing that is founde for hym by the inquest, for yf one holde of ỹ Kyng as of his Duchye of Lancaster by knyghtes seruice and dye, his heyre being within age, the King ought to haue the warde of the heire and the lande. And yet yf in ỹ case the Escheatour finde it by office, he shall haue nothing for fyndyng thercof, because the tenaunt helde not of the Kinge in chiefe as of hys crowne. And therefore the Kynge maye enter and seaſe the lande and the heyre without office and maye graunt it.

In like maner if the Eschetour finde by office that one dyed seased of held of other lordes, and not of the King by knightes seruice, and that he is dead and his heyre within age, the Eschetour can demaunde nothyng of right for the finding of such an office. And so if hr finde an office that one dyed seased of such a manour in fee, and helde of the Kynge as of such an honour or Castell by knyghtes seruice, and hys heire within age, yet ought not the Eschetour to haue any fee or duety for the findinge of the office, and if he take any thing therfore, it is extorciō, which is wel proued by the writ of (diē clausit extremum) the wordes wherof be these. (Quia Georgius ker qui de nobis tenuit in capite die quo obiit, diē clausit extremum vt accepimus

cipimus, ideo tibi præcipimus. &c.) whereby it appeareth that if one holde not of the kinge in chiefe, the Eſchetour ought not to haue the fee of.xl.s. for fynding of the office. And if he take it in that caſe it is extorcion.

And in aſſiſe if the defendaunt ſaye that the landes are ſeaſed into the kings handes by the Eſchetour, and the Eſchetour being there preſent and examined by the Juſtices thereupon do confeſſe that he hath ſeaſed the landes into ỹ kinges handes, where in dede he hath not ſo done, in this caſe the Eſchetour doeth wrõg to the plaintike which may haue an actiõ vpõ his caſe againſt the eſchetour for his falſehed, & for ỹ delay that he hath ſuſteyned through ỹ confeſſion, by ſuing to the king for a (procedendo.)

None ſhalbe ſubeſchetour, vnleſſe he haue ſufficient landes in thoſe places where he is office: to anſwere to the king and his people, in caſe that any wil complaine againſt them. An. 4. E. 3. cap. 9. An. 5. eiuſdem cap. 4.

The Eſchetours ſhalbe choſen euery yere as the Sherife ſhalbe, and by theſame perſõs that chooſe the Sheriffe. And that no eſchetour ſhal abide in his office aboue one yere. An. 14. Ed. 3. cap. vii.

The Eſchetours ſhal not do waſt in Biſhoprikes & other places during the vacatiõ of thẽ, nether ſhal fel vnderwods, nor chaſe in parkes or warrens, nor fiſhe in pondes, or free Miſcaries, nor Gerſũ may take fines of any tenementes free nor bound, but ſhall cauſe them to be kept & ſaued without doyng damage, or any

maner

maner of oppreſſion. In. xxiiii. Ed. iii. cap. iiii.

So by this eſtatute it appereth ỹ it appertayneth to the office of an Eſchetour to ſeaſe ỹ temporalties of Archebiſhoprikes, biſhoprikes and Abbeys of the kynges foundacion, during the vacation of that ſame, and to take the profites, and to accõpt for them to the kyng in the Eſcheker. How beit there is another eſtatute made in the ſame yere, the effect wherof is, that if the Deane and chap. Prior or Subprior, will take temporalties to ferme, paynge the value accordyng to ỹ remẽbrañces in the ſcheker that they ſhal haue them before any other. And by another eſtatute made the ſame yere. Capit. v. the Chancellier, Treſorer of the ſcheker taking to them ſuch other of the counſell, as they ſhall thinke good, ſhal ſeaſe the vacacions of Arch-Biſhoprikes, Biſhoprikes, Abbeys, Priories, and other houſes of religion (the aduoydaunce whereof belonge to the kinge) the Deane, and chapitre, Prior, or ſubprior, priores, or ſubpriores & Couent, at a certayne rent to pay by the yere, quarter, or moneth during the vacacions as they ſhal thinke beſt, without making fine. And neyther ỹ eſchetour nor any other officer ſhal ſeke cauſe nor mater, to entre or to medle, or doe any thing in preiudice of ỹ church. Sauing to the kinge and his heires, knightes fees aduouſons, Eſcheates, wardes, mariages, Reliefes, and ſeruices to ỹ ſaid fees beloging. In witnes whereof the kynge cauſed hys letters patentes to be made thereof, dated at Weſt. the eight daye of Auguſt the yere aboue mencioned

wherby

wherby it appereth that the auctorite afore-ſayde to make leaſes was gyuen to the Chan-celler and the treaſorer by the kynges letters patentes &c. an. xiiii. E. iii. ca. vi.

The eſchetoure and other the kynges miniſ-ters muſt accompt in theſcheker after this ma-ner, that is of landes & tenemētes wherof pro-fite ariſeth from tyme to tyme throughout the yere as of Mylnes, herbages, tolle plees profy-tes of courtes, or ſuch other iſſues and profites they ſhalbe bounden to aunſwere to the kinge for the rate and value of the fyne accordyng to the old courſe of theſcheker. And touching aun-cient fermes and rentes, that are to be payed at certeine termes as rent ſecke and rent ſeruice, wherof no profite ariſeth vntil the day of pay-mēt of ſuche rētes & fermes ſhalbe payed vnto thē that haue liuere therof out of the kings hād at the termes of payment of the ſayde fermes & rentes next folowing ſuch liuere made, aſwell for the time paſſed as the tyme to come. Anno. xxviii. E. iii. Cap. iiii.

The kynge and his progenitours haue ben ſeaſed of forfaitures of warres, tyme out of mind that is aſwel of landes & poſſeſſiōs, as of goods & cattels. And by colour therof theſche-tours by theyr office haue ſeaſed many lādes & tenemētes as forfaites to the kyng, ſurmiſing treaſon in ſome perſons beynge dead at the tyme of the ſeaſer, which neuer were attainted in their lyues, the king hath ordeined touching ſuch forfaitures that fel in the tyme of his grād father or before, that ſo ſoone as an Inqueſte

ther,

therof shalbe returned into the Chauncery by any Eschetour or other that hath power to enquire therof, the tenaunt shall not be put out of possession, but shall be warned by a Scire facias to appeare at a certain daye for to aunswere vnto the same, if he wyl. And if no suche forfaiture be found, the kinges hād shalbe closed, so that in all other cases of forfaitures of treason by persons deceased not attainted nor iudged in their liues, their heyres nor landetenauntes shall not be chalenged nor impeched of any other forfaitures, but of those only that haue been adiudged in time past afore ỹ death of certain persōs, by presentment in Eyre or in the kinges bench as of Felons of the king and other. And therfore it semeth that yf one moue warre againste the kyng in his Realme, and is slain in the same, then the Eschetour may seale his landes & tenemētes, as forfaitures of war without any other inquiry to be made thereof.

Euery Eschetour must take his inquestes of office of good and lawful mē sufficient of inheritaūce & of good fame and of the same county where the inquiry shalbe made. And the inquestes shalbe indēted betwene the Eschetours & the Iurrours, if it be otherwise done, thei shalbe void & thei shalbe takē i good townes opēly.

Trauerse maye be taken to the Eschetours office whereby any alienacion or dyinge seased or that the heyre is within age, and the lande holden of the king in chief is founde.

Lādes seased into the kinges hādes by reaso of ward, shalbe kept without wast. And the eschetoure

chetour ſhall haue no fee of veniſon, fiſhe, nor other thing, but ſhal aunſwer the kyng for the iſſues and yerely profites aryſinge of the ſayde landes without waſt. And if he do otherwyſe then to make fine at the kinges wil, and to pay treble damages at the ſuit of the heyre, as wel within age as of full age. And if he bee within age, his frēdes ſhall haue the ſuit for him, aunſwering to the heyre of that, ꝑ ſo ſhall be recouered of hi cōcerning other lādes ſeaſed into ꝑ kynges hādes by inqueſt of office by ꝑ Eſchetour, this forſayd ordinaūce and puniſhment ſhal holde place againſt the Eſchetour. And if any make claime to landes ſo being ſeaſed, the Eſchetour ſhall returne an inqueſt into ꝑ chācery within one moneth after ſuche ſeaſer, ſo that a writ be deliuered to hym to certifie the cauſe of the ſeaſer, and there ſhall the partie be hard to trauerſe ꝑ office, or otherwiſe to ſhewe his right. And the chaunceller vpon his owne diſcrecion (if he ſe cauſe) may ſeaſe the lādes to the tenaūt, payinge to the king the value, if it belong to the kyng, ſo that he finde ſuerty, that he ſhall do no waſt vntyl he be adiudged. And the Eſchetors ſhal take their inqueſtes in good townes and by honeſt men openly by Indenture to be made betwene the Eſchetour & thē of the inqueſtes. And if he do contrary to this ordināce, then to haue two yeres impriſonmēt and further to make fine at ꝑ kinges pleaſure. An. tricesimō. 6. Ed. 3. cap. 13.

None ſhall be Eſchetour, if he haue not. xx. li. lande at the leaſt or more in fee, and that they execute

execute theyr office in proper person. And if he be otherwise, thē to be put out whereby it appereth that the subeschetour cā not enquire nor kynde office. An. xli. E. iii. cap. v.

Eschetours nor-commissioner shall not take Inquestes but by those ỹ be impanelled that returned by ỹ sheriffe, and if they do otherwise and be conuict by examinacion, or otherwyle at the sute of the partie, or of the kinge, or any other person that wyll sue, they shall incur the peyne of. xl. li. the moyte to him at whose sute they shalbe cōuict. And that no lādes seased in to the kynges handes, shalbe let to ferme by the Chauncellor, vntil the inquestes and verdytes be returned into the Chaūcery, and by one moneth after the same returne, except it be to the partie greued which was put out of those landes by the inquestes, and wil offre to trauerse thē & shewe good euidence, and find sufficient suertie to sue his trauerse with effect, & to pay to the kyng the yerely value of the landes, if it hap to be discussed for the kynge. And if any letters patentes of any landes or tenementes to the cōtrary be made to any other persō then to hi that offereth to trauerse, or be let to ferme within a moneth next to the sayde moneth of returne they shalbe voyde and holde for none. An. viii. H. vi. cap. xvi.

Eschetours & commissioners shall returne the inquestes taken before thē into the Chaūcery or in the scheker with i moneth next after the taking of the same, vpon peine of. xx. li. one moyte to the kynge, the other to him that will

wyl ſue. An. viii. Capitulo. xix.

And if any Eſchetour take anye office before him, & do not returne the ſame into the chaunc-ery or the eſcheker, within the Moneth nexte after the takinge therof, he ſhal incur the pain of. xl. li. forfait by the eſta. made. An. viii. H. vi. And further ſhalbe bound to pay the king as muche as he is endamaged by them not retur-ning of the ſame. And that the chaunceller of England calling to hym the treaſorer of Eng-land may leaſe ſuche fermes for the due execu-tion of the ſaide eſtatute. Neuertheleſſe it ap-peareth that the ſame eſtatute gyueth but. xx. li. of forfayte againſte theſchetours or comiſſi-oners. Therfore ſerche for the true recorde of bothe the eſtatutes. Anno. xviii. Cap. vii.

Eſchetours muſt take theyr iqueſtes of office by vertue of the writs (dic̃ clauſit extremum) & all other writs within one moneth after the re-ceyte of the ſame, and that ſuche inqueſtes be taken in good townes & open places. And ꝑ none of thē priuely nor openly by him ſelfe, or by other take any thinge for the execution of ſuch writs in one cōtie aboue the ſōme of. vi. s. viii. d. or xiii. s. iiii. d. or vnder with his la-bour and his coſtes, ſo that the ſūme that hath taken all together excede not aboue. xl. s. for the execution of any ſuche writ in one countye. And if he do contrary to the premiſſes, then to forfayte the ſumme of. xl. li. the moyte to hym that wyll ſue for the king and himſelfe. Anno. xiii. H. vi. cap. xvii.

None ſhalbe eſchetor, if he haue not landes

or tenementes to the value of.xx.li.within the coũtie or terme of life, nor in the coũty where he is eschetour. Nor no eschetour shall let hys office to ferme, nor make deputye (other then he wyll at his perel aunswere for) whose name he must certifie by his letters patentes to the Treasorer and Barons of the Eschequer for the tyme beyng, within.xx.dayes after such deputacion made. And that no such deputie take vpon him to occupy in the saide office, vnlesse the eschetour haue landes tenementes or rẽtes to the yerely value of.xx.li. as before sayde. And yf any person do cõtrarye to the premisses or any of them, then to forfayte for euerye defaute forty pound, the one moytie to hym that wyl sue, and the other to the vse of the kinges houses, actiõ of dette, where no wager of law, Essoyne or protection shall lye. Anno. xii. Ed. quarti Cap.ix.

No shyryfe, Eschetour, nor other persõ shall sease or take the goodes of any person arrested or imprisoned for felonye, before that the same person so arrested or imprisoned be conuict or attainted of the same felony, accordynge to the law of England, or that the same goodes shall be otherwyse forfaited, vpon payne to forfaite the double value of the goodes taken to the partie damaged, suynge therfore by action of dette, where no wager of law, essoyne nor protection shall lye. An.i.R.iii.cap.iii.

If any Eschetour, or commissioner put into anye of the kinges courtes anye inquisicion or office cõcerninge landes or tenemẽtes, or other

heredi-

hereditamētes, not founde nor presented by other of. xii. men & indented, and by thē seased, then to forfayte for euery suche offence returned & put into any of the kynges courtes, one C. li. to the party greued. an. iii. H. viii. cap. ii.

No eschetour nor other cōmissioner shall syt by vertue of any cōmissiōs to enquire of lādes and tenementes, except he haue landes or tenemētes or hereditamētes to ye yerely value of xl. marke ouer all charges vpon peine of. xx. li.

The Eschetours & cōmissioners shalbe discharged by their othes that they maye not dispende. xl. markes ouer all charges, & that vpon proces made againste thē out of the Escheker.

The Eschetours & commissioners shall syt in open places & shall suffre euery person to gyue euidence openlye in theyr presence to the enquest taken before them vpon peyne. of. xx. li.

The Jury shall receyue the counterpayne of the indenture that shalbe presented, endēted, & sealed by the Eschetour or cōmissioner, and for to rest in the possessiō of the first man that was sworne in the same Jury vpon payne of euery person that shalbe sworne. xx. s.

And euerye eschetour & cōmissioner, after that the Jury be sworne & redy to giue theyr verdit & office to present the same, that the same Eschetours or commissioners or parte of them shall receiue the same verdit wythout further delay vpon peyne of. c. li. & deliuer the counterpayne of the same indenture to the Jurye in fourme before sayd vpon the same peyne.

And if the clerke of the petit bagge, or hys

deputie wyll not receyue such offices, and put it into the filas to remayne of recorde within thre dayes after it be receyued, or offered to be receyued, he to forfayte for euery suche defaut xl.li. And the commissioners and eschetours to be discharged of ỹ penalty of.xl.li. limitted by the statute for none returnynge of the same offices or inquisition within one moneth.

And lyke lawe & penaltye to be againste the officers in the kinges Escheker whiche ought to receyue suche inquisicions for refusinge so to receiue thē. And the commissioners, and eschetours to be discharged of the penalty for none returnynge of the same inquisicion so that the sayd eschetours, or cōmissioners at anye tyme after the moneth of suche office before thē found or before any of them within another moneth then next ensuinge returne the sayd office into the Chaunceri, or escheker as the case shall require. And the clerke of ỹ petit bagge to certifie the trāscript of euery suche office taken before any cōmissioners or eschetour into the escheker the next terme folowynge the returne therof vpon payne of.c.s. for euery such defaut.

And no man be cōpelled to occupy the office of eschetour by anye patent ouer one whole yere, and that he that is once eschetour shall not be eschetour agayn within thre yeres next after the sayd whole yere ended.

If any eschetour exercise his office by reason of anye patent ouer the time of an whole yere ended, or be made Eschetour within thre yeres after, then after the sayde whole yere ex-

de

ded, his patent ſo made to be voyde, & the par-
ty greued ſhall haue his recouery of euerye of
the ſayde forfaytures of one hundreth pounde,
by accyon of det, where no wager of lawe, eſ-
ſoyne, nor protection to be alowed. There be
dyuers prouiſiõs made for diuers Eſchetours
in Cities and boroughes, & in diuers counties.

And if the landes or tenements of anye man
be ſeaſed into the kinges hand by vertue of
any office founde before the Eſchetour or com-
miſſyoner, or by reaſon of another recorde
founde in the Chauncerye or theſcheker, and
he that ſo is put out of hys landes by reaſon
of ſuche recorde or office ſo founden, come and
trauerſe that recorde or office, and it is founde
for hym where vpõ he hath his iudgemẽt that
the kinges handes be cloſed & amoued, nowe
if it ſo be that there be another recorde or of-
fice founde remaynynge amonge the kynges
recordes, whiche is not trauerſed nor tryed,
yet ſhall not theſchetour ſeaſe the landes a-
gayne into the kinges handes by reaſon of the
recorde beinge found and not trauerſed. And
yf he do, then dothe he wronge and extorcion
and the partie that is put out ſhall haue aſſiſe
agaynſt hym, and ſhall recouer double dama-
ges agaynſte him. But in this caſe the kynge
muſt ſue a Scire facias againſt him that hath
the landes out of his handes, vpon this other
recorde or office that was not trauerſed be-
fore. This is gyuen by the ſtatute of Lincolñ
called the Statute of Eſchetours. Anno xix.
Edwardi.ii.

And if the eſchetour by colour of his office without warrant or auctorite of the law that belongeth to his office, diſſeſſe any man of hys landes or tenementes, the party that is diſceaſed ſhall haue an aſſiſe of Nouel diſſeaſon, and ſhall recouer double damages againſt the eſchetour. Weſtminſter. i. cap. xxvi.

The eſchetour hath no power to amerce any man that appereth before him, and miſdemeaneth himſelf, or if the Iurrours that be ſummoned to appere before doe make defaute, he ſhall recorde ſuch thinges in his rolle, and ſhal not amerce the Iurrours, but he ſhall ſende the ſame recorde to the Iuſtices in Eyre, or to the Iuſticers of aſſiſe, when they come into the countrey.

It ſhalbe lawful to the ſhirife, Iuſtices of peace and Eſchetours to ſeaſe to the kynges vſe all ſuch goods, & cattels that ſuch perſons as come within this realme that be called Egipcians haue, and thereof to make accompte to the kinge in his eſcheker, and to retayne and kepe the moytye thereof to his owne vſe, and accompt for the reſidue, and to paye no fees for the accompt nor for his diſcharge therof.

¶ The office of Conſtables.

FArther ye ſhall enquire yf the Conſtables haue duelye doone theyr office, and yf they haue vſed any extorcio in doinge therof. And for aſmuche as the office

fice of a Cōstable was an office at the common law, & was ordeyned for the conseruation of ỹ kynges peace to be had & kepte in euery towne amonge the kings subiectes, therfore god willing somwhat shalbe spoken therof.

¶ Who were Conseruatours of the peace at the common law.

IT is now to be sene for the cōseruacio of ỹ peace, what persons by ỹ cōmō law had auctorite therin, before ỹ making of ỹ statute, wherby Justicers of the peace, are ordeined. And it semeth, ỹ by the comon law diuers persons were conseruatours of the peace, for at the common lawe, there was one person, which is called chief Justyce of England, to whome the king comitted his auctorite in the ministracion of Justice for thinges touchinge hys Corone and for the cōseruacion of his peace amonge his Subiectes throughout all his Realme. And that is proued by the writ, whiche the kynge sendeth to him, and he shall holde his place in the ministracio of Justice to his subiectes in the fourme aboue sayd throughout al hys realme, wherby it doth appere, that the same chiefe Justyce is hygh conseruatour of the peace throughout al the counties of England and in euerye part of the Realme, where he goeth. Also there be other persons conseruatours of the peace throughout the Realme, as the stewarde of Englande, the Marshall & the Constables of England. Also the Constables of euery towne

chiefe Justice of Englande.

Stewarde of Englande.

Marshall.

Constables of Englande.

constables of euery towne.

Constables of hundredde.

were, and be kepers of the peace by the common lawe, likewyse the highe Constables of hundredes, wapentakes, lathes, or tythinges, were & bee conseruatours of the peace by the common law within the townes or hundredes and within their limittes. And before making of the statutes wherby Justicers of the peace are ordeyned, the king by his commission made conseruatours of the peace in those counties & places (where hym thought beste, to kepe hys peace. And the aucthorite, whiche conseruatours of the peace had at common lawe, is the same aucthorite that a Constable of a towne or wapentake hath at this daye, the which I shal partly touche.

makinge an assaulte vpon ye Constable.

If one make assaut vpon the Constable, the Constable may defend him and may take hym and commyt hym to the gayle vntill he haue founde suertye to kepe the peace, though that the assaute were made vpon him selfe. As it appereth. M. v. H. vii. in the title Bar, muche more then yf a Constable se one making assaut vpon a strange person, he maye take him, and commyt hym to prison, or to the gayle, vntyll he haue founde suerty to kepe his peace.

ond assaultinge a stranger.

one threatninge an other.

And if one man threate another, whereupon he that is threatened commeth to the constable and sheweth this matter and prayeth him to compel him that so thretened him to finde suertye, in this case the constable and the partye that is threatened maye goe and compell hym that so dyd make suche threateninge, to finde suertye to kepe the peace, and yf he wyll not, they

they may commit him to warde, vntill he hath founde such suertie, as you may se. M.xliiii. E. iii. in the title of Barre.

And if one be striken in perell of deth, it is the office of the constable of the towne to arest the offendour and to kepe hym in prison, vntill it bee knowen whether the partye so striken wyll lyue or dye, or vntyl that he haue founde suertye to appere before the Justicers of gayle delyuere, or at suche tymes, as he shalbe called vpon, to appere before the Justycers at theyr discretion.

And yf one flee for felony, it is the offyce of the constable of the towne to sease his goodes and to kepe them, and if they hap to be empaired in his keping, he shall aunswere for thē to the king. iii. E. iii. in the Eyre of Northamptō But by the statute made, that is changed, and if felons or murderers be in the towne and the constable hath knowledge thereof, it is his office and dutye to assemble people, for to take them.

And yf one take a Felon in the towne and bringe him to the Constable to be conueyed into the gayle, the Constables office is to carye hym thyther, & to cause other of the towne to ayde and assyste hym in so doynge.

And note that Constables were ordeyned for two intentes, that is to wyt, to kepe the peace and also to represse felons, to take suerties by obligacion of suche persons as thei shal finde making affrayes.

It apperteyneth to the office of the chyefe constable

one striken, in perill of deathe.

~~one fleeinge for felonye.~~

felon in ye towne.

a felon taken & brought to ye constable.

why constables were ordeyned.

The Chieffe Constable of England.

constable of Englande to haue conusaunce of dedes of armes & cōtractes touchynge dedes of armes, and of war out of the realme, & in lyke maner of thinges touchinge armes within the realme which cānot be determined by the common lawe, as appeareth clerely by the statute made the.xiii.yere of R.the.ii.cap.ii.

Also it appereth by the stat made.In.i.H.4. cap.14.that al appeales to be made of thinges done out of the Realme of Englande shall be tried and determined before the constable, the marshall of England for the tyme beinge.

Also whē bataile is ioyned in a writ of right of an appele that shalbe deteyned before the cōstable, & marshall, howbeit the iustices must se ẏ batayle done because they be properly iudges therof & not the cōstable nor the marshal.

And the constables haue manye other aucthorityes aswel by the cōmon law, as by estatutes made the which you may see there.

congregatyons, vnlawfull assemblies. disseason with force.

In.An.vii.E.iiii.it is sayde, the gardeynes of the peace at the common law may enquire of congregacions and vnlawfull assembles and of disseason with force, but not entreys wyth force. But now by the statute, if one entre with force, or do dissease one with force, or entre peasablie, and kepe possession with force, the Iustices of peace maye make restitucion, to the party, and put hym in possession by their wryt directed to the shiriffe.

ride armed.

Constables in the towne, where they beare office, maye arrest men that go or ride armed in fayres or markets, by day or by nyght, and take

take their armour as forfayt to the kinge, and imprison them at the kynges pleasure. Anno. ii. E.iii. at Northampton.

The kinges purueiours ought to make purueyance for the kynges house, by the constable, & foure honest men of the townes, where such purueiance shalbe made, without threateninge, & in presence of the constable and praysours, tailes shalbe made, and sealed with the seales of the takers, betwene the sayde takers and the parties, of whom the goodes be taken. And if any Taker make his prise otherwyse, it shalbe done with them as with a thefe. An. vicesimo secundo. E.iii. cap.i.

purveyours for ye kinges house.

Constables of townes must arest suche, as passe by nyght, of whō suspection is had, & delyuer them to the shiriffe, there to remayne in warde, vntyll they be duelye delyuered. Also they must arrest suche as be called Robbarres of men, wasters, & drawlatches, (if suspectiō be had of any suche) be it nyght or daye, & delyuer thē to the Shyriffe vntyl the comminge of the Justicers of Gayle delyuere. Anno. v. Ed. iii. capitulo. xiiii.

suspityous persons passinge by nighte.

Robbers of men. wasters. drawlatches.

It is ordeined, that none shall take for thresshing a quarter of wheat or corne aboue. ii. d. ob. & for a quar. of barly, beanes, pecse and otes i. d. ob. if so much haue ben vsed to be gyuen, & in the countrey, where they vse to reape by the shefe, & threshe by the bushel, they shall take no more nor otherwyse. And that suche labourers and other seruauntes shall make an othe two tymes in the yere, before Lordes, stewardes,

repealed. Ao. 8°. Eliza. ca. 4.

Bayliffes

Bayliffes and Conſtables of euerye towne, to do and kepe this ordinaūce, & that none of thē ſhall goe out of the towne where they dwelled in winter for to ſerue in ſomer (if he can haue ſeruice in the ſame towne) ſauing to the folke of the countreyes of Staffordē, Derby, Lancaſter, Crauen, and the marches of wales, theyr free lybertie to labour in other Countreys in the tyme of Auguſt. And they that refuſe to make ſuche othe, or to perfourme that thynge they haue ſworne and takē vpon them, ſhalbe put in ſtockes by the ſayd ſtewardes, bayliffes cōſtables of townes, by the ſpace of .iii. dayes or more, and ſhall be ſente after to the nexte gayle, and there to remayne vntyl they will be ordered, & that there be ſtockes in euery town for the ſame entent. And the ſtewardes, bayliffes and Conſtables, ſhall make othe before Juſticers aſſigned to enquire diligently of all thē that offende againſte this ordinaunce, & to certyfie their names before the ſame Juſtycers when they ſhall come into the countreye, to kepe their ſeſſions, vpon whiche certyficat made the ſame Juſticers ſhall cauſe them to be attached by their bodyes to appere before the ſayd Juſticers, to anſwere vnto ſuche contemptes, ſo that if they be attempted, thei ſhal make fyne and raunſome, and further to bee commaunded to pryſon vntyll they haue founden ſuerty to ſerue in maner aboueſayde. And the Juſticers at euerye tyme that they ſhall come into the countrey ſhall enquire of Stewardes, Bayliffes and Conſtables whither they

they haue made good and lawfull certificat, or haue conceyled ought for any gift, procuremēt, or affinite, and shall punishe them by fine and raunsome, if they be founde gyltye. an. xxv. E. iii. cap. ii. and viii.

Cōstables of townes, where as forfaytures or vagabondes resort, haue power to examine them diligently, & cōpel them to finde suerty of their good behauour by sufficient maynpernours distreynable, in case that anye defaut be founden in suche forfaytures & vagabounders. And yf they can fynde no suche suertye, then to be sent vnto the nexte gayle there to remayne vnto the commyng of the Justicers of gayle delyuere, whiche haue auctoritie to doe with such forfaytures & vagabounders as they shall thinke best to be done by the lawe. An. i. R. ii. Ca. v. Constables of townes may arreste any seruaunt or laborer commyng to the town frō any place vagarant, vnlesse he haue a letter contaynynge the cause of his goynge, and the tyme of his returne, vnder the hynges seale that therto shalbe assyned, & delyuered to the custodie of some honest man of the hundred, wapentake, Citie or Borough accordynge to the discretion of the Justices of peace. And the Constables maye put him in the stockes, & kepe him vntyll he haue founde suerty to returne to his seruyce or to serue in the towne, from whence he came, vntyll he haue a letter to departe vpon cause reasonable. An. xii. R. ii. Capitulo. iii.

Constables haue power to arest seruauntes and

. repealed. An. 3. Ed. 6. ca. 16.

. repealed. An. 5. Eliz. ca. 4.

and labourers that beare about thē baslarde, dagger, or knyfe, & to sease the sayde weapons as forfayt, and them to kepe vntyll the Sessyons of the Justicers of peace, before whome they shall present such wepōs, with the names of them, that bare them, except they trauayle in the countrey in theyr maisters message. Anno. decimo quarto. R. ii. cap. vi.

Shirifes and other the kynges ministers may take ẏ power of the countre, to represse assembles and riottes, in outragyous nombre & to commit them to pryson. Anno. xxvii. Ri. ii. Capitulo. viii.

It semeth by these wordes (ẏ kynges ministers) the cōstables of townes haue power to do so by this acte aswel as the Shyriffes.

Cōstables may arrest seruauntes, labourers & imprisō thē by the space of vi. dayes, whiche vse not bowes & arrowes vpon Sondayes, & suche other festiual dayes, which wyl not leaue vtterly all playing at the bal, aswell with hāde as with fote, & other games called coites, dice, casting of the stone, kayles, and other lyke importunate games. An. xi. H. iiii. cap. iiii.

Constables & al the kinges liege people, that are able to trauayle within the county, must be assistyng and aydyng to the Justicers of peace, and the shyriffes, to represse great ryottes and vnlawfull assembles, vpon payne of imprisonmente, and to make fine and raunsome. An. ii. Henrici. v. cap. viii.

Constables shalbe made in euery part of the marches of wales, & market townes, to ēquire, serche

serche, & arrest suche persõs ỹ carye vitayle or armour to anye parte of wales, without the kynges lycence, whiche constables shall haue the firste parte of the forfaite for theyr trauaile. An. iiii. H. iiii. cap. xxvi.

Wales.

Constables of porte townes (where souldeyours that haue ben retained in wages to serue in warre beyonde the sea, or vpon the sea, and departe from their captaines and turne backe and arriue in any porte of England, without lycẽce of theyr Captayne vnder his seale) may arrest such souldiours, & kepe them, vntyll enquiry be made of them, and if it may be proued by enquerie before Justicers of the peace, and proues that they haue mustred of recorde, and departed frõ their capitayne (as before is said) without licence, then they to be punished, as felons. An. xviii. H. sexti. cap. xix.

Soldyers, departing fro their captayne.

The Cõstables, Tithingman & chiefe pledges of euery town must assiste & ayde the owners & selles of any goodes (where the kinges purueyours will make theyr purueyaunce, or bargayne of any goods to the value of. xl. s. or vnder of any perso) & will not make prest payment in hand, in which case it shalbe lawfull to euery one of the kynges lieges, to retayne thẽ and to reste such purueyours, and not to suffer thẽ to make any such purueyaunce. And if the Constable, Tithingman, or chiefe pledge be required to ayde or assiste anye man in making suche resistence and he refuse it, he shall pay to the party greued the value of the thynge so taken by action of dette, wyth the damages

Purueyours.

to

to that double. An. xx. H. vi. cap. xiiii.

Purueyours for Lordes, or officers.

Constables may arest purueyors or byers of any lorde, or other person (except purueyours for the kinge & the Queene) whiche take anye vytayle or cariage againste the will of the owners, & to commit the to the next prison of the kinges, there to remayne wout bayle or mainprise, vntyll they haue deliuered al the sayd vitayles or cariages, & other thinges so taken. And if the constables do otherwise when they be required, they shal forfayte twenty pound. The mayte to be to the party from whome the goodes were taken to be recouered by action of dette wherin the defendant shall not wage his law. An. xxiii. H. vi. cap. xiiii.

Repealed. 2o. 8. Elizab. ca. 4.

Clothiers shal pay to carders, spinners, and other labourers lawfull money for theyr wages, & the carders, fullers, & other labourers shall do theyr duety vpon payne of double damage. And the cōstables of the hundreth or cōstable may heare & determine the complaintes of euery suche clothier and labourer aswell for none paymēt of the sayde wages of labourers as of the sayd forfaitures and damages by due examinacion of the parties in that behalfe, and further for none payment of the saide dutyes forfaitures and damages to commit the trespassours to the next gayle in the same countie vntill the sayde dueties, forfaytures, and damages be duely payed vnto the said labourers, or clothiers. anno. xiii. Ed. iiii. cap. xx.

Euery highe Constable or petit Constable shall take or cause to be taken al vagabondes,

pdle.

ydle people, and suspect persons liuing suspe-
ciously and set them in the stockes, and there to
remaine by one day and one night, and to haue
none other sustinaũce but bread & water, then
to auoyde the towne, where they were taken
into suche place or hundreth where they were
borne, or where they last dwelled by the space
of three yeres. And eft sones they be takẽ ĩ such
defaut thẽ they to be set lykewise in ẏ stockes
by thre daies and three nightes with like dyet.
An.xix.H.vii.ca.xii.

Cõstables and other hed officers, and euery
of thẽ, finding or knowing any person, vsing or
exercisinge any vnlawful games, as tenis play,
bowles, clashe, and all other vnlawfull games
prohibited by any statute, shal haue ful power,
to commit suche offendours to ward, there to
remaine without bayle or mainprise, til suche
tyme as he or they so offending bee bounden by
obligaciõ to the kinges vse in suche sũme, as by
discreation of the same officer shalbe thought
reasonable, that they from thenceforth shal not
vse any vnlawfull games. Anno sexto H. eight
Capitulo.ii.

For wages for boatemen, & for their barges
or boates, or of a barge frõ Lõdon to Graues
ende.iii.s. or els euery ꝑson and his male.ii.d.
from London to Erith, Grenehith, Graystor-
rocke, or Purflete.xii.d. or els for euery ꝑson &
hys fardel.i.d. so it passe not.xii.d. From Lõ-
don to wulwich.xiii. pens for a bote or whery
that is the tide bote, or els euery ꝑson ob. from
Lõdõ to Grenewich.4.d. or els.ob. for euerye

X.i. person

repealed. Ao. 3. Ed. 6. ca. 16.

vnlawfull games.

wage of bote-men.

person and his fardel, from London brydge or Saintmarioueres, or poules wherfe to Westminster. iiii. d. or els euery perſō ob. From the blacke friers, Bridewel, & the temple to Westminster or Lābeth. ii. d. with their males, or els euery pſon ob. ſo ꝑ it amoūt to. ii. d. frō Westminster to Lambeth, or staingate one. ob. for a boate from London to Mortlake. xii. d. or els euery pſon. ii. d. with his male. And frō thoſe places aboue named to London for a boate or barge like ſummes to be payed. And theſe articles to be kepte vpō peyne to forfaite treble ꝑ fare. The bailifes, Cōſtables, & other ꝑ kinges officers next adioyning to the feries, vpō compleint to thē made or to any of thē by thē that be greued in that behalfe may areſt thē & commit thē to ward for their miſdemeaner, and to make fine for the ſame. an. vi. H. viii. ca. vii.

Impotent poor Poſns.

By the ſtatute made. an. xxii. H. viii. how impotēt pſōs ſhalbe ordered to beg & haue theyr lyuing, it is ordered, that if any impotent pſon auctoriſed to beg, do begge in anye other place then within the limittes to him aſſyned, then the conſtables and al other the kinges officers ſhall by theyr diſcreacion puniſhe al ſuch perſons by impriſonment in the ſtockes, by the ſpace of two dayes and two nightes, giuig thē but onelye bread and water, and after that, to cauſe euery ſuch perſō to be ſworne to returne agayne without delay to the hundreth, Rape Citie, Borough, Towne, or pariſh, or Franchiſe, where they be auctoriſed to begin.

And if any impotent perſon be vagarauntes goe a-

goe a begginge, & haue no suche letter vnder seale as is specified by this statute, thē the cōstables & all other inhabitaūtes within suche townes or Parish shal cause euery such begger to be taken and brought to the next Justice of peace or high constable of the hundreth. And therupon the saide Justicers of peace or highe constable shall commaūde the saide Cōstables and inhabitātes of the towne or parishe which shall bringe before hym any suche begger, that they shal strip him naked from the middle vpward and cause him to be whipped within the towne, where he was takē, or where the same Justices of peace or hyghe Constable shal appoint. And if not, thē to commaunde such beggers to be set in the stockes in the same towne or parishe, where he was taken by the space of iii. daies & three nightes, to haue only bread and water, & therupō ỹ said Justices or high Cōstables shal limitte a place tō the same begger to begge in, & to giue him a letter vnder seale, iforme before limited & to swere hī to repaire thither imediatly aft his punishmēt executed.

And al other persons being hole & mighty in body, that do beg, the cōstables of the hundreth shape or wapētake wherin such persons shalbe so taken. And the Justicers of peace or hyghe constable (before whome they shalbe brought) in their discreatiōs shal cause thē to be brought by such places where they thinke conueniēt, & therto bee whipped naked through the towne or market, and then to bee swoorne to retourne to the place where he was borne or where he

Valyant Beggers.

laſt dwelled by the ſpace of thꝛee yeres, and to haue a letter vnder the ſeale witneſſing that he hath ben puniſhed.

persons abiured to anye saintuarye.

Alſo all perſons abiured to anye ſaintuarye within this realme ſhalbe conueied therunto by the Conſtables of euery townethyp, that is frō towne to towne, tyll that he come vnto the ſame ſantuary wherunto he is abiured in lyke maner and fourme, as perſons that hadde abiured this realme ſhould haue ben conueyed to the next poꝛt of the ſea frō the place where thei be abiured vnto the ſame poꝛt by courſe of the commun law befoꝛe the makynge of this eſtatute. an. xxii. H. viii. cap. xxiii.

Crowes, Rookes or choughes.

Euerye fermour oꝛ owner of landes, tenemētes, oꝛ hereditamentes, wherof the yereIye value oꝛ rēt amoūteth to. v. li. which manureth the ſame, ſhal pay to euery perſon, which by his diligence & labour at hys owne coſtes taketh any olde crowes, & rokes oꝛ choughes vpō the ſame lādes, tenemētes, oꝛ hereditamētes, of the yerely value afoꝛeſaid. ii. d. foꝛ euerye. xii. olde crowes, rokes, and choughes, & i. d. foꝛ. vi. and one. ob. foꝛ. iii. old crowes, rokes, oꝛ choughes. And if any fermour oꝛ owner refuſe to pay the ſayd money accoꝛdynge as is afoꝛe ſayde: then vpon cōplaint and pꝛoofe made, therof to any iuſtice of peace oꝛ high cōſtable, the ſame iuſtice oꝛ high cōſtable ſhal cauſe the ſame mony to be leuied by diſtreſſe, of ẏ goods & cattels of euery ſuch fermour oꝛ occupier of the ſame lādes and tenementes. An. xxiiii. H. viii. cap. x.

Where it is oꝛdeined by an eſtatute made in the. vii.

the.vii.yere of kyng.R.the second.cap.ix.that he, which espieth and proueth defaultes in any clothes put to sale cõtrary to the assise, thereof ordeyned touching clothes, and contrary to the said estatut, should haue the thyrde part of euery suche cloth beyng defectiue for hys laboure, by the deliuere of the sherifes, if they be present, or els of the lordes of fayers & markettes or of stewardes, Bailifes, or Constables of townes, where such defectiue clothes shalbe founde by indẽture betwene thẽ to be made, ỹ which shall be deliuered euery yere into ỹ Escheker at the feast of. S. Myghel, by thẽ, that shal make such deliuere, to ỹ entent to charge the aunagours & coillours, by whõ such maner of defauts ought to be searched & amended. An.vii. E.iii. ca.ix.

assise of clothes

If anye person shyppe marchaundise of the staple in places suspected adioininge to ỹ coastes of the water, and maketh no Indentures therof betwene him and the Mayer or Constable of the towne, they shalbe forfait, & the king shall haue the one moyte, and the lorde of the Towne, and he, that found & sealed such wares, shall haue the other moitye. And it is lawfull for euery person, to serche in these cases. Anno. xiiii. H. vi. cap. v.

marchandise of ỹ staple.

It is ordeyned that a horseman shal pay for passage at Douer three shillinges, & a foteman vi. d. And the Cõstable of Douer shal punishe thẽ that doe contrary, at the sute of the partye that will cõplaine and shal doe him right in that behalfe. An. iiii. E. iii. cap. viii.

passage at dower

Here endeth the office of Constables.

Moreouer ye shall enquire of Coroners yf they doe their office duelye, and if they take by extorcion any thinge whyche they ought not to haue by the ordre of the lawe for so doyng of their office.

¶ The office of the Coroner.

FOr to declare pleinlye the office of a Coroner, it appereth by the statute of Magna carta, in the xv. Chap. that no Coroner ought to holde any plees of the crowne. But Bretton declareth the office of a Coroner in fourme folowynge. Fyrste that in euery Countie the Coroners shalbe the principall conseruatours of the peace to beare recorde of al plees of the crowne, as of abiuracions vtlagaries, and such like. And the Coroners shall make an othe before the Sherife in the full countie, that they shall make their inquestes, inrollemētes, and al that to the Coroners office appertaineth lawfully and without asking alowance. And if any felony chaunce, or treasour be founde, or any woman rauyshed, or prison broken, or any man wounded nygh vnto death, the Coroner (so sone as he shal know thereof) shal sende to the Sherifes, and Baylifes of the place, (where such aduenture shall happen, to cause to come before him by a certein daye at the place where suche chaunce befell) foure of the next townesshippes and other yf nede be, by whom he shall require the verite, & shall

ſhall compel the townes hippes to ſweare vpon the ſaintes to ſhewe the truth of thoſe articles that he ſhal demande of thē. Then ſhal the coroner and the Iurrours viewe the bodye, and the woundes, and the ſtrokes immediatelye & after ſuche viewe had the body ſhalbe buried.

And if the Cozoner finde the body buryed before his comminge, he ſhall recozd theſame, neuertheles he ſhal not omitte to digge vp ẏ bodye & make it be viewed opēly of the townes. And thoſe Iurrours which haue ben ſomoned & come not to ẏ inquiries of ẏ Cozoner ſhalbe amerced at the comming of the Iuſticers at the firſt aſſiſes in thoſe Counties, ſo that ſuch defautes be entred in the Cozoners rolle, ſo that the Cozoner ſhal haue no power to amerce no man foz any defaute.

And when thenqueſt is ſwozne, the cozoner muſt enquire if ẏ perſon were ſlaine by felonye oz by miſaduenture, & whether the felony were done within a houſe oz without and al the circumſtance. And after it ſhalbe enquired who were pzeſent at the dede, & who be coulpable of the dede, & who be coulpable of the ayde, foꝛce cōmaundement, conſent, oz receyt of ſuch felōs wittingly. And if the cozoner haue any ſuſpection of ẏ firſt inqueſt foz cōcealmēt of ẏ truth, oz if it be nedefull to enquire better, and by other, thē ſhall he enquire diuers tymes, and all ſuch as therof ſhal hap to be endited, the ſhe-riffes ſhall take in all the haſt, ẏ they maye be founden, and if not, the Cozoner ſhall enquire who thei be, & who hath withdrawē thē ſelues

for that occasion. And the sherife shal forthwith cause their lādes to be sealed and afterwardes al their goodes, and cause them to be prayled by lawful inquest, and the goodes with the prises shalbe enrolled in the corroners rolle, & shal be deliuered to the townelhip for to be answerable therfore vnto the kynge in case the party so endited flye, and wyl not stande to right.

And after they shal enquire if he that is endyted dyd euer finde suerte to kepe the kynges peace & the name of his mainpernours, whiche he shall enter into hys rolle. And yf the pleintif wyl sue Appeale within the yere & the day thē shal he finde two sufficient pledges, to the sherife of ẏ coūtie, distreinable within ẏ same to sue his appeale according to the lawe of the lande. And then shal the corroner cause the appele to be entred with ẏ names of the pledges, & after it shalbe cōmaunded vnto the Seriaūt of ẏ coūtre where such felonies ar done (which as me semeth is the sherife, or hys Baylife errant) that he haue the body at the next county.

And if the Seriaunt retourne at the seconde countye that he can not finde thē, thē shall it be awarded that the principal being appeled of ẏ dede, shalbe solemly called to stād to right touching the same felony, and so shalbe called from countie to countie vntill they come or be outlawed. And if the pleintife make defaut at any countie, thē shal the exigent passe vntil the cōming of the Justicers of the kings bench, or ẏ Justices in Eyre in the coūtre. And if the principal be outlawed, the exigentes shal goe forth inme-

immediately againſt the acceſſaries. And when any ſhalbe outlawed, withdrawē, or ſuſpected the cozoner ſhal enquire at whoſe finding ſuche a fugitiue hath bē, & accozding vnto ẏ verdite he ſhal enrolle it, & thē enquire of the landes & goods of ẏ fugitiue. And if they appere befoze the outlagary, thei ſhalbe repleuiable. And if ẏ felony were done in a houſe, ẏ cozoner, ſhal enquire who found the body firſt, & he ſhal be takē & let go vnder ſuerties. And ẏ no iurrour be remoued by chalēge of anye partie. Neither ſhal any cozoner take any thing by hi ſelf oz by other, noz ſuffer to be takē by his clerke, foz doing his office. And if it be foūd that any is dead by miſaduenture, then ſhal it be required what miſaduenture, as if it be founden that he fel frō a milne, it ſhalbe enquired what thinges were then mouinge there and howe muche they be wozth, and ſo if he fel out of a carte. And if one fal out of a ſhip, nothing is ẏ cauſe of his death but the ſhip and the thinges that moue therein and not the marchandiſe lyeng there.

And the cozoners ought to receyue the confeſſiō of felones made by prouours in preſence of the Sherife who ſhalbe his controlloure in al his office, and ſuche confeſſion he ſhall cauſe to be enrolled. And when anye perſon flieth to a church ſome of the cozoners ſhal haue knowledge therof, he ſhall ſende to the bayliffe of the place, that he ſhall cauſe to come befoze him by a certeyne day the neyghbours, and foure of ẏ nexte townеſhip adioyning to the churche, and in their preſence ſhall receyue the confeſſion of

the

the felonye. And if the fugitiue praye to abiure the realme the Coroner shall doe that whiche to his office belongeth.

Also thē he shal enquire of Rape & of al the circūstaunce, the appeles wherof with al other appeles of robbery, felony and such like, he shal cause to be entred in his rolle.

Also they shal enquire of treasour founden of wreckes of the sea, and of Sturgyons, and of whales taken, and who were the takers, whose names they shal enrolle, & let them go by mainprise. And such thinges as shal happē to be foūden, thei shal safely kepe to the kings vse. And ỳ sherifes & bailifes, shalbe alwayes attendāt vpon thē and at their commaundementes,

It is ordeined ỳ throughout al the cōtyes of England there to be chosen sufficient Coroners, of the most sage & lawfull knightes, that may best to thesame office entend, which lawefully shal attach, & present plees of the Crowne aswel of appeles, as of thinges to thesame office belonging, and that no Coroner demaunde or take any thing for doing his office vpō pein of a greuous forfapture to the king. i. West. ca. xii. But nowe by ỳ statute made. An. i. H. viii. capit. i. The Coroner shal haue xiii. s. iiii. pens of the goods of the Murderer. And if the murder be committed in the day time and the murderer escape, the Coroner shall haue xiii. s. iiii. pens for the escape vpon the townes hippe. Also it appereth by an estatut made in ỳ. xiii. yere of E. ỳ first, which is called ỳ statute of Excester vnder what order inquisicion shall bee made

of

of the defautes of Cozoners (be they alyue oz dead) where ye shall se the charge that shalbe giuen to the inquestes that shalbe charged to enquire of Cozoners, in whiche charge it appereth further what the Cozoner ought to doe by his office, which charge here ensueth.

¶ The fourme of the charge to enquire the defautes of Cozoners, according to the estatute of Excester.

Fyrste they shall enquire if the Cozoner go in ꝑper ꝑson to do his office oz not, wherby it appereth ẏ he cannot make a deputy

2 Also if he haue anye other to do his office, what he was, and howe often, & about what aduentures.

3 Also if he came at euery tyme of his owne good wil without delay, oz that he oz his clerke haue taken any thing foz the moze spedy executing of his office.

4 Also if he tary oz delay to ẏ entent to haue any thing after that he hath knowledge of the truth, and after that he is sent vnto, howe often, and in what place, and vnder what maner.

5 Also if ẏ goodes of Felons taken by him be deliuered to the townes to kepe by a lawefull inquest as they ought to bee, and enrolled in his record oz not.

6 Also if the Cozoner take any thinge of any person foz to take a false inquest foz to distroye the ryght of any, oz to praise the goods foz lesse then they be wozth.

7 Also

7 Also if he entre any thinge in his rolles, o-therwise then it was giuen vp ỹ inquest, and what thing he or his clerke toke therefore and howe often, and for what he or his clerke toke such thing.

8 Also if he or his clerke tooke of the goodes that were prayled, and prised them at lesse then they entred them in their rolles.

9 Also if ỹ prises were not assessed by thequest.

10 Also if the townshyp were falsely charged and of what thing.

11 Also if any appeale were falsely enrolled or imbesiled out of the rolles, after that they were entred.

12 Also if he refuse to take any pleint of appele for pouertie, hate, or other like cause and what he toke for that occasion, and of whome and howe much.

13 Also if he or his, haue taken oughte of the goodes of the partie that is dead vpon whose bodye he toke viewe, what thing it was, howe often he so dyd.

14 Also if he haue entred al the attachementes belonging to his offyce in due maner, or yf he haue made anye attachement for to gyue anye person or to haue of his owne, and entre it into his rolle.

15 Also if he haue done his office at all tymes of his owne costes wythout takynge oughte therefore.

16 Also if he haue cõcealed ought at any cõ-tye, or procured to bee Murdered to the gre-uaunce of any person, and if he so dyd, then to

enquire

enquire howe often, and for what reward, and for whom, and in what caſe he ſo dyd.

17. Alſo if all the attachementes hauing, and lawfullye receyued, bee purſued by hym as he ought to doe for the kynge or for the party, or cauſe to doe, be purſued.

18. And if the goodes of ſuch as haue fledde the townes where they dwell for ſuſpeccion of felony were attached by hym, and prayſed by inqueſt, and enrolled accordyng therunto, and deliuered vnto the townes (where thoſe goodes were founden) to be kepte ſafely vntill the cõming of the Juſticers in Eyre.

19. Alſo if he ſuffer appeles or other playntes to hym made to be cõueyed away, imbeſeled or raſed out of the rolles, and if he take ought for ſuch falſhed, of whom, howe muche, and howe many times.

20. Itẽ if there were any treaſour fond within the tyme of the ſame coroner, in what place, & what treaſour, & how muche, & in whoſe hãdes it reſteth, and by whoſe deliueraunce.

This is the hole charge that iuſticers in Eire muſt gyue for to enquire of coroners, & of their defautes. Furthermore Juſtices in Eire may impanel other inqueſtes of .xxiiii. perſõs of the body of the countie to enquire of the concelement of the firſte inqueſtes whiche did enquire of the defautes of coroners.

When coroners haue anye knowledge from the kynges baylifes, or other honeſt mẽ of the countrey for to go vnto ſuche as be ſlaine or ſodainly dead or wounded, or breakers of houſes

or to

or to anye place where treasoure is sayd to be found, they must go forthwith, and commaūde foure, fiue, or syxe, of the next towneships that they be before thē such day and place, & when they shall come, the Coroner must make inquire therof in fourme folowing.

Fyrst, if the person were slaine in house, or in the field, in bed, or at the tauerne &c. and who be gylty there eyther of the dede or cōsent, &c. And if anye were in the court, so that they can speake or haue any discreacion, & they that be foūden gylty by inquest shalbe taken, & deliuered to the Sherife. And such as were present, & be not gyltye shalbe attached vntil the cōming of the iusticer, and theyr names shalbe written in the Coroners rolle.

If any be sodeinly slayne in fieldes, or in the wooddes, it is first to be sene whether he wer slayne there or not, and yf he were not slayne there, thē as nere as they can they shall folow the steppes of hym that brought the body thyther with horse or carte, if it be possible in case the murderer be knowen, and if he be a straunger, thē shal they enquire where he was alodged the night before. And touchig such as shal be founden gilty, the Coroner shall goe immediately to their houses, & enquire what goodes and landes they haue, and howe much they be worth by the yere.

But by the statute of kyng, Ri. the thyrd, it is ordeined that the landes and goodes of such persons shalbe seased vntyl they bee atteinted or otherwise conuirte by course of the lawe.

And

And these thinges thus being ēquired, the bodyes shalbe buried incontinent.

Moreouer they must enquire of suche as bee drowned or dead sodeynly, and whether they were drowned, or strangled, or slaine, and they muste enquire who were the finders that they may be attached, also they must view ẏ length bredth, & depnes of al wou̅des, & must enquire with what weapons, & what place of the body. And if the wounde be mortall, the offendoure shal be kepte vntill it be knowen whether the partie maye be hole. And if the wounde be great, then he shall bee let goe vnder foure, or sixe pledges, and if it be but lytle, then two pledges shall suffise.

Also they must enquire of horse cartes, and other thinges wherby any was slayne ẏ they may be praised and deliuered vt supra.

Also they shal enquire of wrekes of the sea & if any laye hande vpon it, he shalbe attached by good pledges, and that wrecke shalbe praysed & deliuered to the next townesships. Furthermore hue and crye shalbe leuied vpon al manslaughters, burglaries, or whē any is slayne or in parel of death if it maye be and all shall folowe such hue and cry, if they be able, and they that doe not shall be attached to appere before the Iusticers &c.

Also if any person flye vnto the churche or other halowed place for murder, felony or such like offence, the Coroner vpō knowledge therof shall come thyther and take hys confessiō, & if he wil abiure the realme, the Coroner shal

receiue

receyue his abiuracion, whiche he shall saye in this fourme.

¶ The fourme of the abiuracion.

Heare you this sir Cozoner that I. A. B. am a theke of one hozs oz (other like thig) oz a mansleer of one man (oz mo, and a felon of our soueregne Lozde Kyng Henry the eyght. And foz somuche as I haue committed many eupl deedes & felonies in this realme, I here abiure his land foz euer, and shal make as muche hast as I can to the hauen of D. which you haue assigned me. And I shal not departe out of the byghe way, and if I do, I wil that I be take as a theke and felon of the king. And further I shall diligētly seke my passage at the place aboue limitted, & I shall not abide there any lenger thē one ebbe and one flud, if I maye haue passage. And if I can not haue passage in so much space, I shal goe euerye daye into the sea vp to my knees, & assaye if I can get ouer. And if I can not so do within fozty dayes continuing, I shal yeld my selfe agayne to ẏ church as the kynges theke and Felon. So helpe me god and holy dome.

Neuertheless it semeth that when any ꝑson shal abiure, him behoueth to shewe that place, the day & yere, & in what cōtie he did the felony oz Murder, whiche confession shalbe as an Inditemēt in effect, notwithstāding, if he do it not but onely as before is expressed it is good

ynough,

ynough, because he is attaynted before by hys abiuracion. Howbeit this maner of abiuraciō is put out of the statute of Henrye the. viii. made in the. xxii. yere of hys reygne, wherby it is ordeyned that suche as wyll abiure, shall make theyr abiuracion from all their lybertye vnto some sanctuary within this realme, there to remayne durynge their liues, & shalbe burned in the right hand, with this letter B.

And if suche a person be afterward taken out of sanctuarye he shalbe ordered in like maner as one that had abiured the realme before the sayde estatute. And the same person that so taketh the churche, shall make his abiuracion, and shall take his passage from thens at suche a day and tyme as the Coroner shal appoynt, & shalbe marked vpō the brawne of his thōbe on the right hand with a burnynge yron and shalbe conuicted to the sanctuarye wherunto he is abiured by the Mayer or Baylife, Constables of such fashiō as they haue ben whiche heretofore had abiured the realme. And yf any Felon refuse to abiure before the Coroner he shalbe taken out of the sanctuary and shal lese the pryuyledge therof. And that is by the statute of. anno. xxi. H. viii. cap. ii.

Also it is ordeyned that none shalbe chosen Coroner if he haue not lande sufficient within the same countie for to answere of persons In. iiii. Ed. iii. cap. viii.

And it is further ordeyned that all coroners shalbe chosen in the ful countie by the cōmons of the sayde countie of the most conuenyent &

able persons, an. xxviii. E. iii. cap. vi.

The cozoner shall enquire vpon the viewe of the body if he were slayne by day, if ye murderer be taken. And if the murderer escape, the townesshyp to be amerced. And the cozoner shall enquire of the escape whē he enquireth of the death vpon the view of the body. And the cozoner shal haue foz his fee. xiii. s. iiii. d. of the goodes of the Murderer. And yf he haue no goods, then to haue his fee of suche amerciament as shalbe set vpon the townesshyp foz the scape. And after the murder found, the Cozoner, shal certify his inquisicion afoze the Justicers of the next general Gayle delyuere in that countie. And if the Cozoner be remisse & make his enquisition, vpon the viewe of the body, and certifie not accozding as it is afoze sayde: then the Cozoner foz euery defaute to forfayt one. C. s. an. iii. H. vii. Cap. i.

It is ozdeyned that vpon requeste to the Coroner to come and enquire of anye persō dzowned, oz slayne by misaduenture, the Cozoner shal diligently do his office without any thing takinge therfoze vpō peyne of euery Cozoner that wyll not endeuer hym to do hys office, oz that taketh any thynge foz doynge his office vpon any person dead by misaduenture. xl. s. An. i. Hen. viii. cap. iii.

In case of mans death within the vierge it shalbe cōmaūded to the cozoner of the coūtrey that he together with the cozoner of the kīges house do make thēquire & enrolle it, and that whyche cannot be determined befoze the Steward

ward because the felons be not attached, or for other like cause shal remayne at the cōmon law so ẏ thexigentes, vtlagaries & presentmē=tes therof be made in Eyre by the Coroner of the coūtre as of other felonies done out of the vierge, Articuli super cartas, cap. ii.

No Coroner, Shyryfe, nor other offycer shall take ought for his office, and if he do, he shal restore twyse so much. i. West. cap. xviii. But the statute of Henry the seuenth, gyueth to the Coroner a marke for a murder.

Also it was sayd by the Justicers. M. sexto Richardi secundi, that the Coroner hath no power to enquire of mannes death, but onlye vpon view of the body, and if he do, it is frustrate and voyde. And yf one coroner enquire vpon view of the bodye, and after another coroner wil come and enquire therof again: this seconde enquire is voyde, for the first enquire is onely of recorde.

If one become a prouour before the coroner he shall not afterwardes be admitted to saye that he did cōmit the act by duresse of imprisō=mēt for the recorde of the coroner shal estoppe hym to pledge that.

If any wyl sue appele of robbery or larcine he must come into the ful toūtie Ꝟin the yere and the day after the felony done & muste find two pledges to folowe his suite, and the coro=ner shall enter his appele immediatly in hys rolle and the names of the pledges. And then shall it be commaunded to the Baylyffes of the place where &c. that he haue the bodye at

the next county. And yf he returne at the secõde county (non est inuentus) then shall the appele be called frõcounty to county vntil he be outlawed, and if the plaintife make defaute at any county, then shal the exigente cease vntyll the Eyre of the Justicers in the same countye and the plaintife shall lese his action after apperaunce for euer, wherby it appereth that aft the pere and daye a man shall not haue appele of felony. And to this poynt agreeth Bzetton in his fyrst booke.

The cozoner must recozde his view abiuracion, appelles and accusations of theues made before hym, and so muste he do of all thinges that belonge vnto his office to be done, and the nonsutes of pleintifes in appeales, he must recozde with all thinges done in ỹ coũtye whiche belonge vnto his office. Also ye shall note that appeles shalbe made in the courte of any lozde that hath fraunchise of Infangthef in presens of the cozoner.

A presentmẽt was sent into the kinges bẽche by a cozoner cõpising how a certayne person takẽ foz felony was conueyed vnto the churche by certayne friers &c. And bycause the Cozoner had no power to take suche an inditement, a writ was directed to the same Cozoner to certifie whether he had any other presentment oz not. An. xxvii. Ed. iii. Lib. Assisarum.

An aduenture of the death of a mã was presented before Justices in Eyre, & bycause the same was not founden in the Cozoners rolle the cozoner was awarded to prison, the Cozo-

ners

hers fee in eyre is to haue a penye of euery ve-
nue, when they shall come.

Note that a presentment made before Justi-
cers in Eyre of a thinge whiche is contrarye
to that, that is entred in the Coroners rolle,
shall be take as voyde, and the Coroners rolle
shalbe taken for the recorde.

The Coroners shall enquire of the death of
men slayne or drowned in the armes of the sea
where the lande maye be sene of eyther side
but now by the statute made. Anno. xiii. Ri. ii.
cap. v. and confirmed. An. ii. H. iiii. capit. ii. the
admirall hath no iurisdiction but oneiye vpon
the hygh sea, wherby it appereth that the co-
roners haue iurisdiction there to enquire of
mannes death.

A Coroner maye take an appele of felonye
made by any appiouour in any coũty of Eng-
land and so may he do of an abiuracion, in case
that he confesse the felonye to be done in ano-
ther countie. And the coroner may abiure him
aswel vpon that, as if the felonye had ben done
within the same countye. But he can not take
anye appele of robberye or felony onles it be
within the same countye where that robberye
or felonye was committed & where he is coro-
ner, for by the confessiõn or appeachemente
he is attaynted, and so is he not in the other
cause.

One that becõmeth a prisoner before Justy-
cers shall not haue a Coroner, except he wyll
confesse the felony before them and play a Co-
roner. T. xxvii. Ed. iii.

And if one become a prouer & appele other of diuers felonies done in other counties, in this case the Cozoner cānot make proces therupon into a fozeyne countye, but he shall entre it in his rolle, & shall send the same presentment befoze the Justycers of gayle delyuere, and the Justycers of gayle delyuere shall awarde procesle to the shyrike of the fozeyne countye foz to take hym that is so appeled.

This ye must vnderstand, that yf anye shiriffes, Bayliffes, Elchetours, Conſtables, oz Cozoners take ought foz doinge their office otherwyse then to them is limytted by the statute befoze declared, that then such takynge is extozcion, whiche is punishable at the kynges pleasure, as appereth by the statute befoze written, and by the statute made. An.i.H.iiii. capit.xi. wherby it appereth that shyrikes and their ministers, Bailiffes and their ministers, Elchetours & their ministers, Cozoners and their ministers are bounde to serue all precepts to thē directed from the Justicers of peace without takinge ought of any partye. And if a precept be directed to the shyrike, oz any other the kinges officers to compell anye to appere befoze Justycers to finde suertye of the peace, if the partye (agaynste whome anye suche precepte is dyzected) be ready to come befoze the sayde Justycers to fynde suertye of the peace they shall take nothynge of hym. And in lyke maner must they serue all procesles that come to them dyzected out of the kynges benche, the common place, the Elcheker oz the chaun-

cery

ery without takinge ought therfore but onely the fees expressed in the estatutes before writ-ten, and if they take any other fees, it is plaine extorcion.

Here endeth the office of Coroners.

Ordynaries.

42 Now must you enquire of the Extorcions of ordinaries, yf they take ought in suche thyn-ges as concernynge their offyces otherwyse then is appoynted to them.

A briefe declaracion concerning the extorcions of Ordina-ries, parsons, &c.

Concerning Ordinaries, ye shall vn-derstād ỹ it is ordeined by an estatut made in ỹ one and twentye yere of king Henry ỹ. viii. that no ordinary shal take any thing for the probate of the testa-ment of such a person, whose goods amoūt not aboue the Sūme of a. C. s. except to the Scribe fyre pens onelye. And of goodes aboue the value of a hundred shyllynges vnto foretye pound. iii. s. vi. d. And the Scribe to haue. xii. pens of the same summe. And for the probate of a testament of goodes aboue the value of foretye pounde. v. s. whereof the Scribe to haue two shillinges & fyre pens, or for euery lyne beinge

ten ynches in length, one peny. And ſuche lyke ſũmes for letters of adminiſtracio where ſuch perſõs dye inteſtate, & the teſtament to be regeſtred, & deliuered to the partye without delay, and letters of adminiſtracion to be graunted to the wyfe, or nexte of the bloude of the partie deſeaſed, or to bothe. And for the probate of a teſtament, or letter of adminiſtracion of goodes vnder the ſumme of a.C.s. the ordinarie ſhall take nothynge. Moreouer it is the office of the ordinary to deface the ſeale of the teſtatour (wherwith the teſtament was ſealed) and to delyuer it agayne to the partye.

And if the Ordinary take any more thẽ afore is limitted, he ſhall forfayte ſo muche as he taketh, and ten pounde more beſides that, wherof the moyte ſhalbe to the party greeued.

If the Ordinary cite any perſon to appere in a ſpirituall courte to depoſe in anye matter there as witnes, that is extorcion and wronge to the partie.

If any Ordinarie, perſon, or vicar, take any mortuari after the death of any perſon, whych had not in goods to the value of ten markes, that is extorcion. And lykewiſe it is where they take a mortuary in ſuche places, where it hath not bene accuſtomed to pay mortuaries. And euen ſo it is where a perſon or vycar taketh more then. iii.s.d. iiii.ỏ. in the name of a mortuary if the goods amoũt aboue.x. markes and vnder the value of.xxx. pounde for that is extorcion. Alſo if he take more then. vi.s. viii. pens for a mortuary where the goods be aboue

the

the value of thyrtye pounde, and vnder the ſumme of fortye pound the dets payed, that is extorcion.

And if they take of them whoſe goodes amoũte to forty pounde aboue the dettes payed more then .x.s. for a mortuary, ỹ is extorcion.

And yf they take anye mortuarye for a woman maried, or one that is within age, or for a man that kepeth no houſe, it is extorcion.

And if anye mortuary be take in wales, it is extorcion, except Byſhops that ſhal take mortuaries there of preſtes and curates. And the Archedeacon of Cheſter ſhall take mortuaries of preſtes, within the countye of Cheſter.

And whoſoeuer taketh for a mortuary, more thẽ he ought, ſhall forfayt aſmuche in value as he taketh, and forty pounde beſydes that, to the party greued. Anno. xxi. Henrici octaui. cap. vi. And this haue I thought ſufficient to declare vnto you concerning Extorciõs of Ordinaries, parſons, vicares, and Curates.

FINIS

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The

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